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NORTHWEST ARCTIC SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
February 2, 1995
Alaska Technical Center
Kotzebue, Alaska

COUNCIL MEMBERS PRESENT:

Peter L. Schaeffer, Vice Chairman
James Moto, Secretary
Raymond Stoney, Member
Bill C. Bailey, Member
Bert Griest, Member
Barbara Armstrong, Coordinator

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P R O C E E D I N G S

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2
3 CHAIRMAN SCHAEFFER: At this time I'll call the meeting
4 to order. Walter Sampson is not here, so as vice chair, I will
5 chair this meeting.
6
7 Roll call, please?
8
9 MR. MOTO: Walter Sampson?
10
11 CHAIRMAN SCHAEFFER: He's excused.
12
13 MR. MOTO: Pete Schaeffer?
14
15 CHAIRMAN SCHAEFFER: Here.
16
17 MR. MOTO: Bill Bailey?
18
19 MR. BAILEY: Here.
20
21 MR. MOTO: Raymond Stoney?
22
23 MR. STONEY: Here.
24
25 MR. MOTO: James Moto? Here. Louie Commack?
26
27 MS. B. ARMSTRONG: Absent.
28
29 MR. MOTO: Bert Griest?
30
31 MR. GRIEST: Here.
32
33 CHAIRMAN SCHAEFFER: Thank you. At this time perhaps
34 we can go around the room and do introductions, starting with
35 us?
36
37 MS. DALLEMOLLE: My name is Lois Dallemolle, Park
38 Service, Subsistence, in Kotzebue.
39
40 MR. REARDEN: I'm Mike Rearden, Fish & Wildlife Service
41 in Kotzebue.
42
43 MR. DORGAN: Brian Dorgan, KOTZ Radio.
44
45 MR. ADKISSON: Ken Adkisson, National Park Service,
46 Subsistence, in Nome.
47
48 MR. WENDLIN: Barry Wendlin, National Park Service in
49 Kotzebue.
50

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1
2 MR. RAMOTH: Jonas Ramoth, Subsistence Liaison,
National Park Service.
4
5 MR. SHULTS: Brad Shults, Park Service, Kotzebue.
6
7 MS. RUGGLES: Ann Ruggles, Board of Game, Fairbanks.
8
9 MR. RABINOWITCH: Sandy Rabinowitch, National Park
Service, Subsistence, in Anchorage.
11
12 MR. CALLAWAY: Don Callaway, local subsistence issues
13 ph), National Park Service in Anchorage.
14
15 MR. BROWNELL: Herb Brownell, Bureau of Land
Management, Fairbanks.
17
18 MS. MYERS: Randy Myers, Bureau of Land Management,
Kotzebue.
20
21 MS. MORKILL: Anne Morkill, Bureau of Land Management,
Fairbanks.
23
24 MR. COADY: John Coady, Department of Fish & Game,
Fairbanks.
26
27 MS. AYRES: Lee Anne Ayres, Department of Fish & Game,
Kotzebue.
29
30 MR. KNAUER: Bill Knauer, Fish & Wildlife Service,
Subsistence, Anchorage.
32
33 MR. KOVACH: Steve Kovach, Fish & Wildlife Service,
Subsistence Office in Anchorage. I'm also the biologist
assigned to the Council here.
36
37 MS. H. ARMSTRONG: I'm Helen Armstrong, I'm with Fish &
Wildlife, Subsistence, in Anchorage, and I'm the anthropologist
assigned to the Council.
40
41 MR. MOTO: James Moto, Deering, Alaska.
42
43 MR. GRIEST: Bert Griest from Selawik.
44
45 MR. BAILEY: Bill Bailey, Council member from Noatak.
46
47 CHAIRMAN SCHAEFFER: I'm Pete Schaeffer from here in
Kotzebue.
49
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1 MR. STONEY: Raymond Stoney from Kiana.

2

3 THE COURT: And our court reporter is?

4

5 MS. DOWNING: Meredith Downing with R and R Court
Reporters in Anchorage. I'm sorry, it's several seconds later
than what you speak.

8

9 MS. B. ARMSTRONG: Barbara Armstrong, Coordinator for
Northwest Arctic.

11

12 CHAIRMAN SCHAEFFER: And just coming in earlier was Art
Isanoff from Maniilaq Subsistence, and John Erlich from
Katzebue IRA, and Mr. Magdanz from Subsistence in Nome.

15

16 We were originally intending to start at 9:00, but
looking at the business here, I think what we'll ask, that
those giving the reports be as brief and to the point as
possible. What I will do is not cut you off, but I will say,
"Please summarize" if I think we have had enough, or somewhere
near that. I don't mean to be rude, but I think it's a means
of expediting the business that we have to do today, and
there's all -- there's not all that much to it, other than some
of the normal run-of-the-mill stuff that I think with the group
that's been here for some time now, I think understand the role
of what it is that we're doing here.

27

28 The only other thing I might think would complicate
things somewhat is the discussion on the musk ox issue, but I
don't think that -- since we are aware of what the State Board
of Game has done, and all of that kind of thing, I think what
we may do is lightly touch on some review and perhaps just take
the appropriate action that we feel is necessary to correct the
problem.

35

36 Item number five -- or, excuse me, item four is review
and the adoption of the agenda. Does anyone know of any
additions that we need to make?

39

40 MR. MOTO: Pete?

41

42 CHAIRMAN SCHAEFFER: George?

43

44 MR. MOTO: I'd sure like to keep that Bering Land
Bridge in the agenda. As you know, that's over musk ox deal.
When I went down to that State Board meeting and

47

48 CHAIRMAN SCHAEFFER: Okay. That's

49

50

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1 MR. MOTO: Unit 23 wasn't in there.

2
3 CHAIRMAN SCHAEFFER: That's item number six. It's in
4 there.

5
6 MR. MOTO: Okay.

7
8 CHAIRMAN SCHAEFFER: Any others? Bill?

9
10 MR. KNAUER: Mr. Chairman, I have just an update on
11 information on the Northwest Arctic petition to the -- to the
12 Secretary. You may wish to add.

13
14 MS. B. ARMSTRONG: Item number seven.

15
16 CHAIRMAN SCHAEFFER: Okay. That's number seven. If
17 there are no other changes, a motion's in order to approve the
18 agenda.

19
20 MR. BAILEY: Mr. Chairman, I move to adopt the agenda.

21
22 MR. GRIEST: Second the motion.

23
24 CHAIRMAN SCHAEFFER: Okay. Moved and seconded. Any
25 further discussion?

26
27 MR. GRIEST: Call for the question.

28
29 CHAIRMAN SCHAEFFER: Okay. The question's been called.
30 I don't know whether we roll-call vote or just vote as a
31 group? Okay. All those in favor of the motion to adopt the
32 agenda, say aye?

33
34 IN UNISON: Aye.

35
36 CHAIRMAN SCHAEFFER: Any opposed?

37
38 (No opposing responses)

39
40 CHAIRMAN SCHAEFFER: Item number five is a request for
41 a moment of silence in memory of Roy Otton. He was a very
42 active member in the native community who passed away recently,
43 and I think that one of the sad parts about work like what
44 Roy's done is that there are people few and far between that
45 have taken up the task of trying to sort out the complexities
46 of regulations and all that kind of thing to apply it the best
47 they can to daily living in a village. Unfortunately, also he
48 was a very good advocate for the traditional subsistence and in
49 some ways the commercial use of fisheries and, you know, not
50

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only the Nome area, but just beginning to get involved in statewide issues.

3

4 Personally, I miss him a lot already since I had been working with him closely in trying to communicate in terms of village folks can basically empower themselves to deal with regulatory authorities, and a step further, begin the process of discussions of what tribal management was all about, because ultimately, whether you're working for the feds or the State, we found that if regulations don't already fit what people are doing in villages, then the issue of technical violation is a factor that usually results in some real negative communications amongst agencies and village folks.

14

15 Roy was a very good and articulate presence, really beginning to gain steam and understanding the complexities of what it is we have to deal with, and at this time I will ask for a moment of silence in his memory.

19

20 (Moment of silence)

21

22 CHAIRMAN SCHAEFFER: Thank you. We now move on to old business. Item A is reports, and first off is the National Park Service. I assume that's you, Lois?

25

26 MS. DALLEMOLLE: No, Don Callaway.

27

28 CHAIRMAN SCHAEFFER: Again I ask that time is a consideration, and I would appreciate as brief as possible.

30

31 MR. CALLAWAY: Mr. Chairman, I will try and keep it as brief as possible. My name is Don Callaway. I'm with the Subsistence Division, National Park Service in Anchorage, and my purpose is to briefly bring the Council up to date on two initiatives that my office is funding in the Northwest and Bering Land Bridge area.

37

38 The first is a project that is a cooperative management initiative that was requested by the local office here in Kotzebue that was initiated with a field researcher named Joe Spader, who may have talked to some of the Council members. And the intent was to have two phases of the project. Joe would go out and talk to people in the communities, in the region, to solicit their ideas on issues that they felt would be a good chance for the communities, regional entities, the Park Service and other agencies to initiate a cooperative management project on. And I'd like to report, one, that the draft report will probably be completed in two months, and that we will forward to all the participants for their review.

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 2 And in the consideration of time, I won't go through
 3 the detailed preliminary findings he has. If anybody's
 4 interested, I'd be happy to either talk with them afterwards,
 5 but essentially there were three areas that the people he
 6 talked with evinced concern in. One was with respect to
 7 outside sports hunters, low-flying planes, et cetera,
 8 disturbing people's subsistence activities, and some kind of a
 9 cooperative effort with the Federal and State land managers,
 10 and the regional communities to

11
 12 I'm sorry?

13
 14 CHAIRMAN SCHAEFFER: We have an open hallway up here,
 15 and I think the voices were from above.

16
 17 MR. CALLAWAY: Oh, I thought somebody was talking to
 18 me.

19
 20 Anyway, one issue that came out was to deal with the
 21 over-flights and their potential disturbance, people parking
 22 planes on the north side of the river and interfering with
 23 caribou coming down, sports hunters knocking off the leading
 24 caribou and then influencing the herd migration. So that was
 25 one of the potential issues that he elicited as a possible
 26 management effort between the agencies and actors that I
 27 mentioned before.

28
 29 Another issue that was raised in many of his
 30 conversations and contacts was a potential for a community-
 31 based harvesting/monitoring program that would again involve
 32 all those actors.

33
 34 And the third issue that he touched upon is
 35 eco-tourism, the potential pluses and minuses and how it might
 36 be possible to generate a regionwide or several specific
 37 communitywide plan to deal with the potential impacts of that,
 38 and potential control of that, especially with respect to its
 39 impact on subsistence.

40
 41 Unfortunately, I must also report that during the
 42 budget sessions that just concluded at the National Park
 43 Service Anchorage office Monday and Tuesday of this week, that
 44 the monies for phase two of this project, i.e., the
 45 implementation of one of these issues in a cooperative
 46 management context has been cut, as has most of my other
 47 projects.

48
 49 The second project I wanted to talk about is a multiple
 50

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approach to collecting subsistence data that could be used in the C and T process for a number of communities: Wales, Shishmaref, Deering and Noatak. And to bring people up to date briefly, we've gone into Wales, Shishmaref and Deering to solicit the approval of the communities in participation in this, and the work has been completed in one phase in Wales. The community of Deering is now still considering our request. Next week we go into Noatak to discuss with the local IRA.

And the project essentially contains components that collect harvest data, that collect mapping data on harvest use area through times, that collect oral histories from elders in the region, and that collect detailed and -- testimony about the importance of subsistence in the activities of the lives of people in these communities.

Unfortunately, I must also report that the funding for this, the second phase of these projects has been cut, and that at the moment, it only looks like we'll be able to do the harvest monitoring. Again, it's regrettable. We had hoped with both these projects to initiate a number of cooperative agreements with Kawarak, Maniilaq, and perhaps local communities to engage in this research and other activities, but I'm very pessimistic at this point that that's going to be possible.

CHAIRMAN SCHAEFFER: So when you say the funding was cut for the second phases, that means eliminated?

MR. CALLAWAY: Yes.

CHAIRMAN SCHAEFFER: Okay. Any questions from the Council?

MR. BAILEY: I have a question. Are some of these points that you brought out, is some of these going to come in as in proposal form? Are you going to submit a proposal? Is the Park Service or someone from your office submitting a proposal on behalf of the low-flying and that sort of thing?

MR. CALLAWAY: Well, the intent was to use Park Service resources to engage in a cooperative agreement with Maniilaq or ANA or some other entity in the region here to work on that issue, to bring in the parties from -- whether they be sports hunters or guides or pilots, various agencies in the community, AAs, and try and work on a cooperative management resolution of one of those or a couple of those conflicts. And so, no, there won't be any proposals being put forth now at this point.

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1 CHAIRMAN SCHAEFFER: What that may do though, the
 2 content of the annual report that this body can submit is that
 3 it could have impact on other Federal agencies that have
 4 significant impact on subsistence uses. For instance, if it
 5 was Forest Service, and if there was a concern about the
 6 whatever of the timber harvesting that was affecting like, say,
 7 some resource, then that in fact could affect perhaps some
 8 Federal agency that would have direct impact on the subsistence
 9 resource. But in this instance, I think we're talking about
 10 air space, and that's the jurisdiction of the Federal Aviation
 11 Administration, and in turn, the jurisdictional issues also
 12 contingent upon the weather conditions and whether or not, like
 13 safety, establish a ceiling on low-flying aircraft in parks.
 14 Then you also have the problem of the jurisdictional issue in
 15 terms of the riverways and the added problem to that is that if
 16 they in fact are not hunting and are just going from Point A to
 17 Point B and the weather is a factor, then a 2,000-foot limit is
 18 meaningless if they have to go 500 feet to navigate their way
 19 through anyway.

20

21 So I think the complexity here is that we would like to
 22 see some information on some of the information received by
 23 like say those that fly up here that would cause some concern
 24 at their part to observe at least out of courtesy what turns
 25 out to be of a different magnitude on the ground. For
 26 instance, if a person in the airplane decided to fly low
 27 looking at caribou, and then decides that they want to take
 28 another look, and in fact on the ground people are waiting for
 29 the caribou to come through a certain place or across the
 30 river, then, you know, I don't think it's even occurred to the
 31 pilot, the impact of his little observation has done to those
 32 folks on the ground. So, you know, those kinds of situations
 33 are unfortunately educational ones, and I'm not so sure that
 34 everybody wants to share in the educational processes.

35

36 But I think what we would like to see is some
 37 documentation in terms of making these recommendations through
 38 the annual report, too, because, for instance, the issue on the
 39 Noatak, which you're familiar with, you know, and the extension
 40 of the controlled use area was in direct response to the
 41 concerns of the people up the Noatak. It's not to say, though,
 42 that the very same problems exists on the Kobuk, and the
 43 villages have systems to deal with any meaning towards
 44 instituting the same system in the Kobuk River is very
 45 politically unlikely. As a matter of fact, probably
 46 impossible. If not impossible, next to it. But still I think
 47 we need to have some information out there that would be aimed
 48 towards having some sensitivity for those folks that come
 49 travelling up here in groves of aircraft.

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2 MR. CALLAWAY: Mr. Chairman, that specifically was one
3 of Joe Spada's recommendations in terms of public information
4 initiative, and he has a number of recommendations, and to make
5 people more aware, both rafters, pilots and so forth.

6
7 CHAIRMAN SCHAEFFER: Any other questions?
8

9 MR. GRIEST: I guess one other point or a question I've
10 got is if the budget's been cut on the co-management portion of
11 your over-all budget, is the whole concept of co-management
12 just eliminated as well?

13
14 MR. CALLAWAY: No. What we hope to do with this
15 project was to provide a foundation for later co-management
16 initiatives in other areas by picking one issue and working
17 through it. But it certainly doesn't make impossible other
18 co-management initiatives that can be between the Park and the
19 various entities and actors. It's just that we don't have the
20 resources to, you know, support the whole process.

21
22 CHAIRMAN SCHAEFFER: Any other questions? If now,
23 thank you for your report, Don. Appreciate it.

24
25 MR. CALLAWAY: Okay.

26
27 CHAIRMAN SCHAEFFER: Next up is Item B, the update on
28 deep research with Mr. Shults?

29
30 MR. SHULTS: I'm Brad Shults. I'm a wildlife biologist
31 with the Park Service.

32
33 COURT REPORTER: Up to the microphone, please?
34

35 MR. SHULTS: I'm going to be very brief. All I've done
36 since the last time we discussed this is I finally got a
37 concrete calendar of events on this proposal process, and that
38 proposals have to be in by April 30th, and so between now and
39 then we'll start the development of a proposal, which hasn't
40 started yet. And preliminary funding decisions will be made by
41 about mid June, but no final decisions until November of next
42 year. Or of this year, sorry. So between now and then I'm
43 going to be talking to whoever's interested and working with
44 this Council to get their support on it, and we'll go from
45 here. And by the end of the month I'll probably make the
46 first trip to Noatak, probably door-to-door, nothing official
47 meetings or anything. Everybody's meeting'd out, so that's
48 all I've got unless people have questions?

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1 CHAIRMAN SCHAEFFER: Any questions? Well, that was
2 short. Thank you.

3
4 MR. SHULTS: Sure.

5
6 CHAIRMAN SCHAEFFER: Okay. Item two on the agenda is
7 Selawik Refuge report by Mike. Mike Rearden?

8
9 MR. REARDEN: Thank you, Mr. Chairman, this will be
10 really short. I just have a little bit of information I want
11 to pass on to you about a couple of the biological programs we
12 have on-going on the refuge. One deals with moose on the Tag
13 River, and the other one is a short summary of the work we're
14 doing on sheefish on the Selawik River.

15
16 In April in cooperation with Fish & Game, BLM, Park
17 Service, and actually several students from the Selawik High
18 School, we collared 50 moose up on the Selawik River, and we've
19 been following the moose with telemetry equipment from
20 airplanes since that time. And the goal of the study is to
21 understand more about the population, delineate movements and
22 evaluate the mortality of moose on the Tag River.

23
24 Everything is pretty preliminary since we haven't had
25 the study in operation for very long, but we've collared 25
26 cows and 25 bull moose. And in the spring, of the 25 cows that
27 we collared, 11 were accompanied by calves, and of these three
28 had given birth to twins. And since April, and I think our
29 last flight was in December I believe, out of the 50 moose,
30 we've had six mortalities. Two of those were from predators,
31 one from a hunter, and three were -- died of natural causes,
32 unknown natural causes. Out of the total bulls that were
33 collared and ear tagged, approximately 7% of those animals have
34 been harvested by hunters. We had two ear tags that were
35 returned to us by hunters from the Tag River.

36
37 Any questions on that study? That's about all I had on
38 that.

39
40 CHAIRMAN SCHAEFFER: Ray?

41
42 MR. STONEY: Mr. Chairman. Mike, on these collared
43 moose you said, right?

44
45 MR. REARDEN: Uh-huh (affirmative).

46
47 MR. STONEY: Are they radio or are they satellite?

48
49 MR. REARDEN: They're radio collars, just

50

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1
2 MR. STONEY: Okay.
3
4 MR. REARDEN: standard telemetry collars that we
5 pick up with the airplane radio equipment.
6
7 MR. GRIEST: I understand there was one -- excuse me,
8 Mr. Chairman? There was one that was found from -- that was
9 tagged at Tag River down here at the peninsula near Kotzebue
10 some place?
11
12 MR. REARDEN: There was one animal that we put a collar
13 on and a tag, and it was within ten miles of Kotzebue for most
14 of the summer. And it finally went back to the Tag I believe
15 the last survey
16
17 MR. GRIEST: All right.
18
19 MR. REARDEN: we found.
20
21 The other project we have going is a cooperative study
22 with the Department of Fish & Game, Sport Fish Division. And
23 they're working on sheefish on the Kobuk River, and we're
24 working the sheefish on the Selawik River, and currently we're
25 trying to assess the total population of sheefish that
26 overwinter in the Kobuk and Selawik Lake areas. The intent
27 this year was to put tags on a lot of fish and then recapture
28 them to get a total population estimate on the Selawik River,
29 and Fish & Game was going to do the same thing on the Kobuk
30 River. However, after a bunch of the fish were tagged, the
31 floods came and they were unable to capture any fish, so we're
32 starting from ground zero on our population estimate again this
33 year, but that project will be on-going, and we're planning on
34 starting that again this fall.
35
36 And we did put radio transmitters on several sheefish
37 on the Selawik River, and as soon as the high water came, a lot
38 of the fish just were swept out of the river, and a few of them
39 were found on the spawning grounds, but a lot of them weren't.
40
41 That's all I have.
42
43 CHAIRMAN SCHAEFFER: Any questions for Mike?
44
45 MR. REARDEN: Thank you.
46
47 CHAIRMAN SCHAEFFER: Okay. Next up we have an update
48 on the Squirrel River. Go ahead, Randy.
49
50

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1 MS. MYERS: Okay. As most of you probably know, the
BLM is doing a proposed study on the Squirrel River, EIS,
Squirrel River as a wild and scenic river, and so we are in the
process of writing an environmental impact statement.

5
6 COURT REPORTER: Excuse me, could I have your name?
7

8 MS. MYERS: Sure. Randy Myers.
9

10 COURT REPORTER: Thank you.
11

12 MS. MYERS: And as all big projects go, this one has
slipped a bit in its time frame. We were hoping to have the
first draft out by now, and it's not. And we were hoping to
have our public comment period begin about March, and that's
going to slide. And we're potentially looking at perhaps
April. And when it is published, there's a 30-day waiting
period before the public meetings can start. But once it's
published, of course, anyone can send in written testimony, et
cetera, but the public meetings when everything is established
in terms of the time frame, will have lots of announcements on
KOTZ, and the public meetings scheduled for Kotzebue, Kiana,
Fairbanks, Anchorage, possibly Noorvik. There will be
translators at the meetings. And we've also talked with Lynn
Anderson a little bit briefly, and he said he would be glad to
put the public meetings on KOTZ, so the entire meeting would be
on the radio as well, so people could really get a chance to
hear what was going on.

29
30 I do have a two-page summary of what has kind of been
worked up so far for the proposals, and through extensive
meetings with people for several months, contacting different
organizations, agencies, communities both in-person, over the
phone, written testimony, seven issues emerged as the important
ones to the Northwest Alaskan area, so those seven are on that
update. And anyone who hasn't been receiving our mailings on
the Squirrel River environmental impact statement and the wild
and scenic river proposals can sign up over there on -- there's
a tablet. Please sign up, because we'll send you material.

40
41 So the seven issues were basically visitor use,
subsistence use, mineral development, access and motorized use,
future employment, State selections and the river values.
44

45 The proposed -- there are four proposed actions.
Actually I should say one proposed action and three
alternatives. So the -- trying to address a balance between
flexibility and protection in the proposed and the three
alternatives, and I won't go into what they are. They're
50

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outlined in that two-page summary, and anyone can phone me in Kotzebue, or phone our office in Fairbanks to get the specifics. But basically the river can be designated in three categories as wild, as scenic, or as recreational. And wild would be the most protected, scenic in the middle, and recreational the least protected.

And to just give you an idea as to some of the differences, under a wild designation under ANILCA, subsistence use, historical, customary, traditional subsistence use of motorized craft is allowed, but it's only until you get to the scenic designation that commercial use, say, if someone was having an eco-tour type situation in the Squirrel River, would be allowed under scenic, but not under wild. So there's where you get a chance to make a choice about that corridor, half-mile on either side of the Squirrel.

And each of the proposed -- each of the three alternatives designates different portions of the tributaries, different lengths along the tributaries, basically a half mile on either side, but different lengths, as to whether they're going to be wild, whether they are proposed as wild or scenic.

Another example of how wild and scenic might be different with respect to transportation and roads, under a wild designation, no roads would be allowed. Under a scenic designation, limited road construction would be allowable, and that would be applicable here with the potential -- the State has selected some areas in the Squirrel, as you know, for a potential transportation corridor, so that would allow some limited road development and possibly bridging.

So that's all I'm going to say on that. I don't want to get into any more specifics, but, please, if you're not on our mailing list, sign up over there, and you'll be flooded with information. Any questions?

MR. MOTO: Mr. Chairman? Are you having meetings at Sugnak, Ambler and Kobuk, too, on that?

MS. MYERS: At this point we're not planning to. If it looks like there is a large need and people should come to us and say, you know, "We really can't get to Kiana," or "We can't get to Noorvik or Kotzebue," so we haven't planned that at this time, since that's a little further away from the Squirrel, but if you've got a lot of interest in your community, let us know.

CHAIRMAN SCHAEFFER: Bert?

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1 MR. GRIEST: Mr. Chairman, would -- if you're
 2 considering legislation on designating Squirrel River, then are
 3 you going to be amending ANILCA in the process or are you
 4 talking about a separate legislation altogether

5
 6 MS. MYERS: This would be

7
 8 MR. GRIEST: that might or might not allow

9
 10 MS. MYERS: Under the provisions of ANILCA as it now
 11 stands, and also there's the National Wild and Scenic Rivers
 12 Act that has a lot to say, of course, in this situation, and
 13 BLM has been authorized, I believe it was about 1965 or '75, I
 14 can't remember, to administer wild and scenic rivers, so what
 15 we're proposing at this point won't need any amendments to any
 16 existing Federal statutes.

17
 18 CHAIRMAN SCHAEFFER: Any other questions for Randy?
 19 Thank you.

20
 21 Okay. The next item is the Alaska Department of Fish &
 22 Game. It just says ADF&G, and I don't know who.

23
 24 MS. B. ARMSTRONG: Lee Anne might. If they didn't have
 25 anything in that -- in case.

26
 27 CHAIRMAN SCHAEFFER: Lee Anne, you're first?

28
 29 MS. AYRES: Well, we'll be -- we'll be even briefer and
 30 not say anything, and simply make ourselves available for any
 31 questions the Council might have, but John and Ann Ruggles from
 32 the Board of Game are here, and can certainly answer any
 33 questions about the recent Board meeting. I have some caribou
 34 information and musk ox numbers, and we'll just leave it at
 35 that.

36
 37 CHAIRMAN SCHAEFFER: Okay. Thank you.

38
 39 The next one is the Region Six, Eight and Ten boundary
 40 with our Park person here in town. Lois?

41
 42 MS. DALLEMOLLE: Okay. My name is Lois Dallemolle.
 43 I'm presenting this information basically more or less at the
 44 request of Gates of the Arctic National Park. They could not
 45 be here. And the reason they're involved in it is because
 46 their Subsistence Resource Council has requested their help in
 47 just facilitating a process of getting some input from this
 48 Council here.

49
 50

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1 I believe at some point you all have received a letter
 2 and a map that looks something like that that talks about a
 3 possible change or a proposal to change boundaries for the
 4 Federal regions on Ten, Six and Eight. If not, I'll show it on
 5 a map, so it doesn't really matter. It's at

6
 7 CHAIRMAN SCHAEFFER: It's in here, yeah. This one
 8 here.

9
 10 MS. DALLEMOLLE: Yeah, I didn't understand that map
 11 very well either so I've got kind of a different one here. The
 12 people of Anaktuvuk Pass are very close to the boundary between
 13 or Anaktuvuk Pass is very close to the boundary between
 14 Region Ten and Region Six. They are feeling unrepresented on
 15 the regional councils, because you have to be a resident of the
 16 region in which your Council member is representing you. And
 17 originally they were a member of Region -- the boundary
 18 included them in Region Six, therefore they didn't have
 19 representation in Region Ten. The boundary was redrawn to have
 20 them in Region Ten now, so as a result they don't have
 21 representation in Region Six. They would like representation
 22 on the councils that have land that affects them, so what they
 23 are proposing to do, what they would like to propose to the
 24 Federal Subsistence Board is that the Board redraw the
 25 boundaries of the Federal regions. And what that would mean
 26 for this region is the Anaktuvuk Pass people have identified
 27 additional use areas that include part of what is now Regional
 28 Eight, this region, and they would like the boundary redrawn to
 29 take a piece of Region Eight, which is your region, and put it
 30 in a region that they would have representation in. So take it
 31 out of Region Eight and put it into Region Ten.

32
 33 It would be this area right in here, and I can put this
 34 map up right here. It's the upper part of the Noatak, and I
 35 don't know if you can see, it goes almost over to the Killik
 36 River, over here.

37
 38 MS. B. ARMSTRONG: It looks like Nulia (ph) River.

39
 40 MS. DALLEMOLLE: And, you know, it has things in it
 41 like Naturak Lake and Kipnik Lake in the Upper Noatak. So this
 42 region right at the very top of the Noatak, above the Ambler,
 43 above the Imelyak, up in here. That would go from Region Eight
 44 into Region Ten. It would not longer be part of the region
 45 that you represent. And that would be their proposal. They
 46 would also like to include a piece of Region Six into Region
 47 Ten.

48
 49 CHAIRMAN SCHAEFFER: So then
 50

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1
2 MS. DALLEMOLLE: The reason we're asking -- or they're
asking for your input is the Board has expressed to them that
before they would consider it, that they needed to check with
the other two regions and see how the regions felt about it.

6
7 From the Park Service standpoint, I guess, you know,
part of it's Gates of the Arctic, part of it's Noatak Preserve.
9 We're always, I think, pretty much for anything that
simplifies boundaries. This doesn't necessarily simplify a
boundary. One of the really attractive things about Northwest
areas, with the NANA region, is that it's always sort of
unitary. This would take a little piece of that out, but
basically we have no position on it.

15
16 CHAIRMAN SCHAEFFER: Since they're talking turf, what
are they willing to trade for it?

18
19 (Laughter)

20
21 MS. DALLEMOLLE: Apparently nothing.

22
23 CHAIRMAN SCHAEFFER: Well, I would assume that that
would be more of a matter of whether the Noatak IRA wants to
allow that to happen. If they did, then I'd assume that there
would be no problem. The same with the Upper Kobuk. I think
27 I don't know, would that be appropriate? Bert?

28
29 MR. GRIEST: Doesn't the resident zone kind of --
provisions of ANILCA kind of take care of some of that anyway?

31
32 MS. DALLEMOLLE: Well, I'm not sure. This is more a
matter of their representation on the Regional Council.

34
35 MR. GRIEST: Oh, on the Regional Council, okay.

36
37 MS. DALLEMOLLE: Yeah. And they're feeling that since
they're on a border, they don't get -- they're not having
representation on the area that affects them. I think

40
41 CHAIRMAN SCHAEFFER: Right. And unlike

42
43 MS. DALLEMOLLE: that's where it's coming from.

44
45 CHAIRMAN SCHAEFFER: Unlike the subsistence resource
commissions, you know, the Governor gets to appoint anybody,
you know, if they want to from Timbuktu I suppose, but this is
different. I think in terms of the make-up, there's no
provision then as this is obviously stating then there for any
50

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exceptions to the normal course of territorial representation here. Bill?

3

4 MR. KNAUER: Mr. Chairman, just a little bit of background. The original boundary essentially divided or went through the middle of Anaktuvuk Pass, the regional boundary between Region Six, the Western Interior, and the North Slope. 8 And at a Subsistence Resource Commission meeting for Gates of the Arctic, the mayor of Anaktuvuk Pass requested that the boundary be changed so that they would be included wholly within the North Slope Region. And he said that they felt they had adequate justification, because they were represented on the Subsistence Resource Commission for Gates of the Arctic, which covered the southern area that they use, and that by having representation on the North Slope Regional Council, would give them representation in that area. And so that's why the boundary was changed originally. Now this is an additional change that they're requesting now.

19

20 MR. BAILEY: Mr. Chairman? I'll speak on behalf of the Noatak residents. I know what their comments are going to be already. What sort of an impact will it have on the historical sites that are present there that the Noatak people have existed in those area if that is -- if it's given to the North Slope Borough? Will they have -- you know, will they take over those areas, you know? Because we have ancestry dated way back in the early years of our families, our grandparents and stuff coming from there, and I think they're going to have some words to say about that. I think they're going to decline this proposal.

31

32 CHAIRMAN SCHAEFFER: So were you looking for a commendation out of this group,

34

35 MS. DALLEMOLLE: I think

36

37 CHAIRMAN SCHAEFFER: or was this just FYI
38

39

40 MS. DALLEMOLLE: Again, I'm not quite clear, because this actually is coming from the Village of Anaktuvuk. I'm not their representatives. I think any input into the Board, either supportive of annexing part of Region Eight into Region Ten, or not supporting it would -- would be appropriate.

45

46 Bill, do you have any thoughts on the appropriate comment avenue?

48

49 MR. KNAUER: I think that would be

50

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1
2 MS. DALLEMOLLE: Just a letter to the Board?
3
4 MR. KNAUER: Right. Or a motion that would be
5 transmitted through the Coordinator. Either way would be --
6 would be appropriate.
7
8 CHAIRMAN SCHAEFFER: What's the wish of the Council?
9
10 MR. GRIEST: Mr. Chairman? How many acres are we
11 talking about within our region?
12
13 MS. DALLEMOLLE: Oh, Bert, I don't have any idea
14 whatsoever.
15
16 MR. GRIEST: That's a big chunk.
17
18 MS. DALLEMOLLE: On this scale map again,
19
20 MR. GRIEST: That's a big chunk.
21
22 MS. DALLEMOLLE: all I can do is put up, you
23 know, this area here,
24
25 MR. GRIEST: Okay.
26
27 MS. DALLEMOLLE: which goes basically from
28
29 MR. GRIEST: Well, how many townships then?
30
31 MS. DALLEMOLLE: Oh, I could count up, you know,
32 townships I suppose. Oh, yeah, that would be a good idea. So,
33 two, four, six, eight, ten, 12, 14, 16 maybe.
34
35 MR. GRIEST: 23,040 acres.
36
37 MS. DALLEMOLLE: Okay. So it's south of the Nigu
38 River, sort of over to the Alatna, above the Noatak. In there.
39
40 CHAIRMAN SCHAEFFER: Well, my feeling is that
41 personally I would like to see some more discussion between the
42 affected
43
44 MR. GRIEST: Yeah. I think it should be
45
46 CHAIRMAN SCHAEFFER: IRA governments in terms of,
47 you know, whether this request -- it comes from Anaktuvuk Pass.
48 I think they need to speak first to the Noatak IRA as well as
49 the Upper Kobuk to find out whether or not, you know, they can
50

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reach some understanding in terms of what this may imply some ways down the road. The unfortunate part of changing boundaries is that sometimes we find them very difficult to deal with, and in fact have to invent a borough just to take some land away from the North Slope anyway, so I think since this is I feel not a resolved issue to the Board at this time, I would make the recommendation that this be relayed to the appropriate IRAs for their input at the next meeting. Or if they wish to decide sooner, then they should contact Anaktuvuk, or whoever -- whatever appropriate governmental entity it is to begin at least a dialogue to see what they can agree on.

12

13 MS. DALLEMOLLE: If you would like, since the only role that I have in this is acting as Gates, and they're only acting as the request of their SRC, I could write a memo back to Gates for your signature, or you could -- I'll give it to you first, just expressing the fact that -- that you would like to see further discussions between the City of Anaktuvuk and the affected parts of Northwest areas.

20

21 CHAIRMAN SCHAEFFER: Okay. And if our meeting is next fall, then if there's any need to get anything done sooner, then that will be incumbent upon villages being able to do that, but I guess my question to you, Bill, is that something that they're going to be acting on already, up-coming meeting, or what's the schedule for the action on this thing?

27

28 MR. KNAUER: To the best of my knowledge, it is not an agenda item at this time.

30

31 CHAIRMAN SCHAEFFER: Okay.

32

33 MR. KNAUER: This is in the -- in the preliminary discussion phase right now.

35

36 CHAIRMAN SCHAEFFER: All right. Well, I think that's the appropriate action to take at this time, so if that's the general feeling here, we'll just continue.

39

40 Is Dave Mills the new superintendent of that?

41

42 MS. DALLEMOLLE: He's acting.

43

44 CHAIRMAN SCHAEFFER: Okay. Thank you, Lois.

45

46 At this time I guess we can go to the musk ox update with Steve Kovach?

48

49 MR. KOVACH: Mr. Chair, if it would please the Council,

50

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We think it would be more efficient if we delayed the review of the Board of Game actions until we take up the musk ox proposals that we're going to have the Council review as it. Because of the nature of Proposal 43, because it does affect the Northwest Council, we are going to ask the Council to deliberate and provide a recommendation to the Federal Subsistence Board on #43, and we're going to -- we were originally planning on presenting #44 to the Council just for information purposes, but in view of the results of the Board of Game action, we felt it appropriate for this Council to deliberate and make a recommendation on 44 as well. So we feel it will be more efficient to do it all at one point in time.

13

14 CHAIRMAN SCHAEFFER: Okay. Thank you. We'll do that.

15

16 Okay. Item seven is the petition update. Bill?

17

18 MR. KNAUER: Yes, Mr. Chairman. As most of you are aware, the -- when the Federal Government undertook the development of Federal subsistence management regulations, the Secretaries of Interior and Agriculture took the position that most navigable waters and the lands selected by, but not conveyed to the State and native corporations were not subject to the ANILCA priority, and were not covered under the definition of Federal public lands. The Northwest Arctic Regional Council along with various other groups, such as Stevens Village Council, Kawarak, and so on, submitted a petition to the Secretaries of Interior and Agriculture requesting that they reconsider this, and that that they in fact establish that they do have the authority to regulate hunting and fishing on nonpublic lands to protect the subsistence priority, and, two, to determine that the lands selected by, but not yet conveyed to native corporations and the State be treated as public lands, and therefore subject to Federal subsistence management regulations. This petition was submitted approximately last April. It has been reviewed by the Solicitor's Office and the Office of Counsel General in Washington, D.C.

39

40 And appearing in the Federal Register today is a notice that advises the public of receipt of this petition, and also asks for public comment on it. The comment period will be 60 days, which will end -- I haven't seen the petition, so I'm -- by counting, it looks like it will be April 3rd, but the Secretaries believe that the comments and public review of this will help the Secretaries better assess both the impacts and the concerns that might be raised by this petition, and it will help them come to a decision on how they would implement it.

49

50

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1 CHAIRMAN SCHAEFFER: This must be a historical
 2 document, because here we are trying to give more land to the
 3 feds, and they're refusing it.

4
 5 So that's the status of the petition now?

6
 7 MR. KNAUER: That is correct, Mr. Chairman.

8
 9 CHAIRMAN SCHAEFFER: Any questions? Bert?

10
 11 MR. GRIEST: I'm kind of new to this Advisory Council,
 12 but does the definition of the public lands include then those
 13 that'd land to the State?

14
 15 MR. KNAUER: Does it include which lands?

16
 17 MR. GRIEST: The tentatively approved lands

18
 19 MR. KNAUER: Oh, tentatively

20
 21 MR. GRIEST: to the State.

22
 23 MR. KNAUER: No, it does not.

24
 25 MR. GRIEST: It doesn't.

26
 27 MR. KNAUER: Not for these regulations it was not.

28
 29 CHAIRMAN SCHAEFFER: They non-conveyed?

30
 31 MR. GRIEST: Non-conveyed.

32
 33 MR. KNAUER: The selected, but not conveyed lands, and
 34 selected, but not transferred lands are not included within the
 35 definition of lands that are subject to Federal subsistence
 36 management regulations. And that's one thing that this
 37 petition requests is that -- it's asking the Secretary to
 38 consider that, and -- and actually to include those.

39
 40 CHAIRMAN SCHAEFFER: But that was basically a
 41 determination being made by Secretary of Interior Luhan, at the
 42 time he was the Secretary of Interior, isn't that correct?

43
 44 MR. KNAUER: Right. Based also on advice from the
 45 attorneys there.

46
 47 CHAIRMAN SCHAEFFER: Any other questions for
 48 Mr. Knaauer? Any questions from anybody out in the public?
 49 Okay. Thank you, Bill.

50

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1
2 MR. KNAUER: Uh-huh.

3
4 CHAIRMAN SCHAEFFER: Okay. We now go to the customary
5 and traditional determination update I guess. Helen?

6
7 MS. H. ARMSTRONG: Sadly, we don't have any big news to
8 report on how far the staff committee and the Board have gotten
9 along in making some decision about the direction we're taking.
10 We are having a meeting with the Regional Council Chairs, or
11 the Chair's representative, on February 13th, and as far as
12 know, that meeting is supposed to be in Anchorage. I haven't
13 actually seen the place yet, but I think it's going to be in
14 Anchorage. And that day the staff committee is actually going
15 to meet with the -- with the Regional Council Chair, or the
16 person they send in their place, which is, I think, a somewhat
17 historic move, because this hasn't happened. And they're going
18 to sit down and talk about this, and eventually maybe that, you
19 know, there will be, you know, other -- more discussions.

20
21 But anyway, they're going to try to discuss where we're
22 going with C&T, what we're going to do with it, what our
23 approach should be. And then the following day there will be a
24 meeting with the Southcentral Regional Council, the Chair, and
25 the staff committee to decide what direction we should be
26 moving on the Kenai C&T.

27
28 That's, you know, as far as we've gotten in terms of,
29 you know, haven't made any recommendations or decisions on
30 either the Upper Tanana or the Kenai C&T yet.

31
32 We do have some C&T decisions coming up to this Board.
33 As you know, musk ox is coming up. They did decide to go
34 ahead and even though it was out of sequence of doing our C&T
35 analysis, to do some interim C&T determinations. Musk ox is
36 coming up for this next -- well, we'll be discussing it in a
37 few minutes. And then there's an interim C&T for sheep in
38 (C) that's been requested, and there's another one for
39 caribou down in -- I can't remember what unit that one's in.

40
41 In the meantime, the progress is still going forward on
42 the Upper Tanana C&T and Kenai's been waiting on what our
43 direction's going to be, and I'm still working on the North
44 Slope C&T analysis, and there's -- Mike Coffing down in Bethel
45 working on the Y-K Delta C&T. So that's where we stand at
46 this point.

47
48 CHAIRMAN SCHAEFFER: Any questions for Helen? Thank
49 you. We will be discussing more when we get to the proposals
50

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later.

2

3 Okay. Item C is the annual report, 1994 year. I guess
 4 that's you, Bill? Or who?

5

6 MR. KNAUER: I'm not sure, but you should have in front
 7 of you a letter that was signed today, a response to the 1993
 8 annual report. As you notice, the acting chair, Dave Allen,
 9 has apologized for the lateness of the response. There have
 10 been a number of reasons there. I won't go into the long
 11 letter, but we are making progress in getting responses out to
 12 folks. We hope that they'll be prompter next year.

13

14 CHAIRMAN SCHAEFFER: Since I think it's abundantly
 15 clear that co-management, or Federal/State management is going
 16 to be here for a while, that in terms of what I mentioned
 17 earlier about some of the role that the -- I think the annual
 18 report was supposed to play, I think we'll be paying more
 19 attention to getting them done on time and what the format that
 20 was intended. I guess that's spelled out in ANILCA. So my
 21 experience has been that in trying to meet the deadline for
 22 whatever it was, December -- or November 15, then December 2,
 23 and then whenever, the difficulty has been that it was done
 24 virtually without any administrative assistance in terms of
 25 doing the bulk of the legwork and documentations necessary to
 26 put together an annual report that met the protocol I guess
 27 that we were supposed to be dealing with in terms of putting
 28 one together that had meaning to it, that was really intended
 29 to get at certain issues that were important to residents up
 30 here. Similar to situations before with the Board of Game and
 31 testifying in the Board of Game with the Attorney General
 32 sitting there, sometimes what happens is that there is a
 33 complete ignoring of the intent of the proposal when the
 34 legalese of the language is being contested to the satisfaction
 35 of the State, I guess now Federal, criteria, which is probably
 36 a task in itself to figure out sometimes what exactly that
 37 means.

38

39 So I would make a recommendation to this Council that I
 40 think since realistically it's practically impossible to get
 41 one out for 1994, that we begin to plan for the 1995 annual
 42 report in the sequence I think that was originally intended,
 43 and with the information necessary to put one together that
 44 will have basically the same intents with following the
 45 protocol that's necessary as to pay proper attention and direct
 46 the departments to do the same.

47

48 So my reason for putting it in here though is based on
 49 the 1989 and the 1993, sort of like a mathematical equation

50

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equals basically no action of any sort, so I think that should be of major concern as we progress through the process, and especially with the advent of special interest groups that are clearly out of our control and probably everybody else's, but I think in terms of the environmental movements and the animal rights movements, and those kinds of things happening, I think it's going to be abundantly clear down the road that we're going to have to get our act together in terms of protecting what it is that I think we need to protect. And if the integrity in the establishment of the parks, for instance, was the intent of the Federal folks in the first place, then I think they are not only required, but obligated to assist us in putting one together that meets all of the hoops. So with that, that's all I have.

15

16 Item D is the Regional Council Charter renewal. I guess as a requirement for the Advisory Committee Act and all of that kind of stuff as well as the language in ANILCA is that the charter has to be signed off by the appropriate Federal authorities. Is that on an annual basis? Or

21

22 MR. KNAUER: No, Mr. Chairman.

23

24 CHAIRMAN SCHAEFFER: two years?

25

26 MR. KNAUER: The Federal Advisory Committee Act requires that Federal advisory committees have in existence a charter which can only go for two years. They're two-year documents. And they are tied to either an administrative decision or a statutory enabling thing. In this case, it's ANILCA, so in even numbered years, December 2nd of even numbered years, your charters expire.

33

34 We had a little problem this year in that the charter renewal packages that were sent to Washington, D.C., were lost twice, and -- but they have been signed. They were signed -- the charters were signed on Tuesday, and so it is legal for you to meet today. You both meet the requirement of having a valid charter in place, and having a quorum, as well as having a federally designated official present. In this case Ms. Barbara Armstrong is that designated official. So you do meet all the requirements.

43

44 CHAIRMAN SCHAEFFER: So this President Clinton's three strikes and you're out applies to this, too?

46

47 (Laughter)

48

49 MR. BAILEY: Two strikes. Yeah.

50

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1
2 CHAIRMAN SCHAEFFER: Okay. Well that was biannual I
guess.

4
5 Before we get into new business, maybe we ought to take
6 a ten-minute break?

7
8 (Off record)

9
10 (On record)

11
12 CHAIRMAN SCHAEFFER: Okay. The meeting is back to
order, and we have Bill Knauer to give a definition for
resident.

15
16 MR. KNAUER: You have in your purple packet a briefing
document on residency and license -- license requirements.
Under section six of the regulations, there is the statement
that says "to take fish and wildlife on public lands for
subsistence uses, subsistence users must possess and comply
with the provisions of any pertinent permits, harvest tickets
or tags required by the State or Federal -- required by the
State, or Federal permits, harvest tags, tickets or tags as
required by the Board, and must possess the pertinent valid
State hunting, fishing and trapping licenses, unless Federal
licenses are required or otherwise -- or otherwise provided for
in these regulations."

28
29 One of the words of concern there is "pertinent". What
is the pertinent license? And with that is also a concern as
far as residency. The Board has received -- the Federal
Subsistence Board has received a letter from the Alaska Joint
Boards of Fisheries and Game indicating that they believe the
pertinent license is a resident license for hunting, fishing or
trapping. The Federal Subsistence Board has also received a
letter from the Bureau of Land Management indicating that in
some areas, particularly roaded areas, there have been
individuals who have been, for example, living in a camper part
of the year, and claiming that as a permanent residence, and
qualifying for a rural priority for subsistence.

41
42 The Board, the Federal Subsistence Board feels that it
was probably not the intent of Congress to provide a rural
priority the day following somebody from say New Jersey moves
into the State and settles in a rural area. They also believe
that there are a number of options that they would like to
present or put before the Regional Councils and ask their
opinions and -- in relation to this:

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1 One, currently under the regulations an individual
2ould come in, for example, to Kotzebue, and for the first year
3hey live here, if they're from Outside of the State, have a
4on-resident hunting license, but under the Federal regulations
5hey would qualify for the subsistence preference on Federal
6ands. That is the current situation. One option, certainly
7ould be not to change that.

8
9 Another option would be to make a regulatory change
1hich says that an individual must possess a resident hunting
1license, a resident trapping license, but not a fishing
12cense, because currently the State does not require a fishing
13cense to subsistence fish.

14
15 A third option would be to revise the regulations to
16y that a resident hunting, fishing or trapping license is
17quired to participate. That would have the effect of saying,
18ay, the priority really was intended for someone who had
19ved in the State for at least a year.

20
21 There may be other options. This paper, three-page
22aper, plus the two or three pages of letters from the State
23d Bureau of Land Management discuss that, and the Board is
24liciting comments and concerns from each of the Regional
25uncils before they proceed in any particular direction.

26
27 CHAIRMAN SCHAEFFER: Well, I think given that, you
28ow, last spring the President of the U.S. of A. basically
29aid that -- and the BIA came out with a listing, that
30knowledged the existence of tribal governments and has a
31overnment-to-government relationship in the State, so I would
32 interested to see what their reaction to this would be,
33ecause I think in terms of compliance and the intent of
34censing to be -- licensing to begin with, I think there is a
35eat need to discuss this as a tribal issue, simply because I
36hink of the noncompliance rate that further accelerates and
37auses more grief in terms of not only technical violation, but
38 fact probably some proceedings that could constitute even
39ore serious license types of offenses. I'm speaking
40pecifically about the guiding industry. The Commercial
41ervices Board had the unique ability to slap a class E felony
42 those that do not have the State requirements to guide, and
43ould a native take out a person inadvertently, may be subject
44 those types of sanction.

45
46 But I think the issue of licensing has been kind of a
47horn in terms of the added paperwork that have come about in
48rms of permits, some of the requirements for licensure that
49clude stipulations such as immediately upon taking, you're
50

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supposed to affix a tag or something to an animal that required a tag to begin with. Well, that also causes some legal analyses perhaps in terms of what constitutes immediately. You know, if they want to get down to the finite of what it is that they create, because I think in terms of whether or not regulations actually do what they do, I would suppose that in some cases they may do something entirely different.

8

9 My feeling is that since I think that has been, and is generally perceived to be a compliance issue that is our burden to comply with, simply drags around the issue as to whether or not things can be done differently, and, you know, exactly what that difference can mean.

14

15 I think in terms of licensing for certain species that have the threat of being over-harvested or face numerical problems in terms of allocation to user groups would be more of a requirement than say caribou, like in the Western Arctic Herd, for instance, has probably peaked at somewhere close to half a million, and whether or not the license is really needed for those that practice some traditional means of, you know, harvesting, let alone, you know, more additional things such as the debate now amongst the folks about the harvest limit and whether you need to change that from five to 15, I guess which ones're going to be getting into here a little later.

26

27 So anyway that's sort of the discussion I think that needs to be drug out in terms of how tribal governments want to treat this issue, but I think they need to talk about it first.

30

31 MR. KNAUER: Mr. Chairman, I think we need to make a little bit of a distinction here. Part of what you are talking about relates to permits or harvest reports as opposed to the basic license itself. The first is usually separate from the second, at least in the Federal Government. None of the harvest reports or permits require any expenditure of cash as opposed to sometimes under the State there is a fee for applying, or a license fee, or a permit fee, or something like that. The license itself is the initial thing that indicates who might be eligible to participate. I would also note that at least in this area that may not be as crucial an issue of concern as it might be in a roaded area where you have individuals coming from the outside that may be in large numbers and where there's significant competition for certain species or in certain areas.

46

47 CHAIRMAN SCHAEFFER: Yeah, I understand that, but the point I was trying to make is that the noncompliance in as far as pre-McDowell with the State is definitely going to be a

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problem with the Feds, too, no matter what type of licensing procedure you use. I just wanted to make that point clear, because it's not going to go away.

4

5 Any discussion from the Board? Council?

6

7 MR. GRIEST: So we don't need a -- well, what's being proposed is we don't need license for subsistence fishing with a rod and reel?

10

11 MR. KNAUER: Currently under the Federal regulations, you do not. That is one thing where the State is requesting that there -- there be a resident license required, although they do not require a license to subsistence fish, they don't if they also do not consider rod and reel a valid method of subsistence fishing.

17

18 CHAIRMAN SCHAEFFER: But they do consider a stick and a string probably, the predecessor to rod and reel, anyway.

20

21 MR. GRIEST: Uh-huh (affirmative).

22

23 MS. DALLEMOLLE: Mr. Chairman, could I ask a question of Mr. Knauer?

25

26 CHAIRMAN SCHAEFFER: Go ahead.

27

28 MS. DALLEMOLLE: This is Lois Dallemolle. Bill, how would the options that you're looking at relate to Park Service regulations that affect -- well, relating to resident zones where a person that lives within the zone then, and there's no length of time required on that by definition? Specific to Park lands, could then hunt on Park lands, how does what the Board -- how would the Board action relate to Park Service regulations then?

36

37 MR. KNAUER: That's not an area that has been brought up or discussed yet. The Board is just floating this issue out, because it has been raised to them as a concern by the State Joint Boards, and by the Bureau of Land Management, and there have been a few other smatterings of concern here and there. They are not proposing any particular action one way or another on this.

44

45 CHAIRMAN SCHAEFFER: Well, for the record, that's why I mentioned the previous. I think in addition to that, could be that the opportunity for licensing, too, have been that in terms of a model, which I will refer to, like say the State prior to McDowell had been that just some simple thing such as

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regulation books were not very available, other than the village vendor, which we found out when we went to Kiana back in 1986, let alone that still doesn't -- the mother language in the villages is still Inupiak in this region, and there have been very little, if any, communications afforded to, you know, speaking specifically in Inupiak, because we found out, too, that it was a virtual impossible in our native language to translate some of the regulatory -- regulation concepts in terms of some of the absences in the native language to, you know, say that you are permitted to do this, except blah-blah-blah-blah-blah-blah. So I would suggest that it's necessary to communicate with those tribal groups, because they also have the basic tools necessary to deal with perhaps their membership with their enrollment, for example, that could be used as a means of finding out who qualified as -- from one village to another, which would probably be useful later on, if there's ever any acknowledgement of the subsistence resource commissions on their determination of what, you know, resident zones should be, or whether they ought to be non-existent and that kind of thing. 'Cause whether you're talking about resource commissions or the regional council, the thing is that if we change that doesn't mean that we do things any differently.

24

25 Bert?

26

27 MR. GRIEST: Is this kind of a departure from the resident zone community concept where within the -- some communities, because they're in a resident zone, have some preference and priority of use in a certain part or area, and therefore do not need licenses or permits, but generally are permitted to continue subsisting?

33

34 MR. KNAUER: No, sir, it's not. Currently the regulations say that all subsistence users must have a pertinent license. That's whether they live in a resident zone community or anything else. That's something totally different. This says they must have pertinent licenses. What this issue says is, okay, what should those pertinent licenses be, or should there be a pertinent -- a requirement for a pertinent license?

42

43 As relates to a tribal council or a regional council, we must always remember that ANILCA says "rural resident." It doesn't say "native," it doesn't say "non-native." And throughout all of rural Alaska, there is a wide mix of native and non-native. And so we have to be real careful. We are not allowed to put in regulations that specifically address the native community or the non-native community. It must address

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all rural residents.

2

3 CHAIRMAN SCHAEFFER: Right now.

4

5 MR. KNAUER: Right, now, yeah. Things can always
6 change.

7

8 CHAIRMAN SCHAEFFER: Another difficulty that we have in
9 this region is that we do not have a central tribal entity to
10 address issues like this to, so it has to be done on an
11 individual basis to the villages. And I think that what we may
12 do, and may want to do, is to have some discussion on a village
13 level as to how they would perceive treating this, especially
14 those that are in this region that live off the Western Arctic
15 herd, for instance. So not to pass the buck, but I think
16 clearly this is an information gap that in our view needs to be
17 addressed, and I think we ought to do that, so this is kind of
18 like a two-part suggestion. I'd suggest that perhaps by
19 motion, motion be made to do that, to direct some
20 administrative attention to that effort, and I think that's
21 necessary.

22

23 MR. GRIEST: Mr. Chairman, I agree we do need to
24 discuss this more thoroughly with those people that are most
25 directly affected. So I would like to make a motion that we
26 direct that administration to gather comments from our
27 affected

28

29 MR. BAILEY: User groups.

30

31 MR. GRIEST: user groups.

32

33 MR. BAILEY: I second it.

34

35 CHAIRMAN SCHAEFFER: Okay. Motion made and seconded.
36 Is there any further discussion? Hearing none,

37

38 MR. GRIEST: Question.

39

40 CHAIRMAN SCHAEFFER: All those in favor of the motion,
41 say aye.

42

43 IN UNISON: Aye.

44

45 CHAIRMAN SCHAEFFER: Any opposed?

46

47 (No opposing responses)

48

49 CHAIRMAN SCHAEFFER: Okay. It's unanimous. Okay.

50

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2 The next subject is Council nomination process, and we
3 have two seats on the Northwest Regional Council open for
4 membership. And as I understand it, the procedure will be the
5 same as the last time where there will be a notice put out for
6 invitations for consideration for membership? And the
7 Secretary will make the determination as to who gets it. Is
8 that how it works?

9
10 MS. B. ARMSTRONG: Yes. Yes.

11
12 CHAIRMAN SCHAEFFER: Okay.

13
14 MR. KNAUER: Yes, Mr. Chairman. There was a notice and
15 letter sent out December

16
17 MR. KOVACH: 16th.

18
19 MR. KNAUER: 16th soliciting applications around
20 the State for individuals wishing to apply for the vacancies.
21 In this region two of the seats, two of the terms expire. The
22 seat occupied by Mr. James Moto and the seat occupied by
23 Mr. Louie Commack expire this year. Those individuals, if they
24 desire to be considered, must reapply, just like anyone else.
25 The application deadline is February 28. This notice has been
26 sent to somewhere over 3,000 people on the mailing list around
27 the State. It's been sent to all of the IRAs, the Regional
28 Councils and so on. There have been numerous notices in local
29 papers, statewide papers. It's appeared I think in the
30 Anchorage Daily News, which is a paper of statewide
31 circulation. I believe at last count it had been in there five
32 six times over the past few weeks.

33
34 And the -- some of the areas of consideration for
35 individuals applying is first off they must be a resident of
36 the region they wish to represent. That's a legal requirement,
37 and one that is unchangeable. Other things that are -- enter
38 into the selection criteria are knowledgeable of local and
39 regional subsistence uses and needs; knowledgeable of other
40 uses of the area's fish and wildlife resources; willing to
41 travel to and attend the Regional Council meetings, such as
42 this; and a willingness to attend Federal Subsistence Board
43 meetings as requested.

44
45 The process is such that after the close of the
46 application period, the staff committee will look at the --
47 there will be a panel assembled to examine the references and
48 credentials of each applicant. The staff committee will look
49 at the recommendations of that panel. The Federal Subsistence
50

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Board will also review those recommendations and forward their recommendation to the Secretary of the Interior. The appointments are made by the Secretary of the Interior with concurrence of the Secretary of Agriculture. They are three-year appointments, as all of them are from now on.

6

7 The first few members that were appointed, they were staggered, one, two or three-year terms. What that did was set up a situation where one-third of the Council members' terms would always be expiring, but there would be two-thirds remaining on a Council at any time for consistency and -- and training and knowledge and so on.

13

14 CHAIRMAN SCHAEFFER: So I assume that when the agency groups get together to rank the applicants that communication is made to the appropriate organizations for input into that process? Or is that a closed process?

18

19 MR. KNAUER: The individuals on the panel contact usually both the applicant, their references, and they usually contact local organizations as far as, okay, "What is your impression of Jane Doe or John Doe? Does he or she have credibility within the community? Is he really knowledgeable about this? How does he relate in a group setting such as this? Is he very confrontational, or -- or does she try to bring consensus of the group and is impartial?" Things like that, yes.

28

29 This Regional Council will be provided with a list of names of individuals who have applied in this region. Some Regional Councils have indicated they -- that is all they wish, because they did not feel it appropriate to provide input to the Federal Subsistence Board. They felt it might be unfair if maybe a Council member was doing a really good job or maybe a Council member was doing not quite as good a job, that there might be other member -- other applicants either better or worse. So some have -- some indicated they would wish to remain neutral. Others have indicated that they would wish to, when they receive the names, send a letter of recommendation regarding part or all of the list. That's up to the individual Council.

42

43 MR. GRIEST: Are we going to be allowed? Mr. Chairman, are we going to be allowed to recommend to the Subsistence Board?

46

47 CHAIRMAN SCHAEFFER: Well, I think we can commend

49

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1 MR. BAILEY: Uh-huh. We can recommend.

2
3 CHAIRMAN SCHAEFFER: just like anybody else.

4
5 MR. BAILEY: Yeah.

6
7 MR. GRIEST: I'd rather we be allowed the opportunity
8 to make comment or recommend anyway.

9
10 CHAIRMAN SCHAEFFER: But, of course, in some circles
11 that could be considered a "Good old boys syndrome," so

12
13 But I think we had expressed some concern before about,
14 you know, how to input into that process, so, yeah, as long as
15 the consideration's made to the appropriate community,
16 particularly their governing body, like an IRA or traditional
17 government, that will be useful.

18
19 MR. KNAUER: One thing that is specifically requested
20 of the Regional Council is that the members themselves
21 advertise that -- this opportunity widely among their
22 organizations that they belong to, their friends and family,
23 and if you're aware of particularly well-qualified individuals,
24 encourage them to apply. The only way you get really good
25 candidates is having a good pool of applications to choose
26 from.

27
28 CHAIRMAN SCHAEFFER: Okay. Well, we'll do that.
29 Does?

30
31 MR. MOTO: One thing I did with my application is I
32 hung it up in the City Hall, Deering City Hall, to see if
33 anybody wanted to get in, because I think we need
34 representation from the northern Seward Peninsula, because of
35 risk of deal coming up and the authority, you know, because I
36 think that's important for us in the northern Seward Peninsula.
37 Because we're only Buckland and Deering, represent that herd
38 they do open it up.

39
40 CHAIRMAN SCHAEFFER: Okay. Okay. Thank you. Okay.
41 Now we're familiar enough with the nomination process.

42
43 I guess we can go directly now to proposals.

44
45 MS. H. ARMSTRONG: While we're getting the projector
46 set up, if you want to turn to the turquoise book, the

47
48 MS. B. ARMSTRONG: That one.

49
50

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1 MS. H. ARMSTRONG: Barbara will hold it up for you.
 These are the proposals in there. We're also going to be
 talking about some that aren't in there that are in other
 regions, and those are 43 and 44, and those have been put up on
 the table for anybody who hasn't picked those up. And also 64
 and 65, which are listed in here, but they aren't in the --
 they're in that turquoise book.

8

9 CHAIRMAN SCHAEFFER: Again I'll ask that since we're
 looking at significant time constraints, that we make the
 presentation as brief as possible.

12

13 MS. H. ARMSTRONG: We'll do our best.

14

15 (General conversation while projector being set up)

16

17 MS. H. ARMSTRONG: Okay. The first proposal we're
 going to be talking about is Proposal 50. It's on page one in
 your book. This proposal was proposed by this Council,
 and

21

22 MR. KNAUER: Helen?

23

24 MS. H. ARMSTRONG: Yeah, that's it. Go ahead and put
 it on. You can turn it on.

26

27 The proposal extends the existing controlled use area
 downstream to the mouth of the Noatak, and that's the lightly
 shaded area is the proposal, the darker shaded area is the
 existing controlled use area. It also -- in this area the use
 of aircraft would be prohibited for hunting from August 25th
 through September 15th. That's a shortening from the existing
 regulations that says August 20th to September 20th.

34

35 CHAIRMAN SCHAEFFER: Excuse me a second. That's
 existing right now in Federal regulation, but in fact in State
 regulations the

38

39 MS. H. ARMSTRONG: Yeah.

40

41 CHAIRMAN SCHAEFFER: shaded area is already in
 effect, it's already

43

44 MS. H. ARMSTRONG: I was getting to there. Yeah, that
 this is -- what happened was the State had already made this
 proposal. It has passed the Board of Game in 1994, and what
 we're in essence is doing aligning our regulations with their
 regulations. About 25 to 50% of that land is Federal land, so
 we would need to -- it needs to be in alignment in order to

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make those regulations consistent with the State.

2

3 The problem has been around for a little while. It --
 4 In 1988 the State Board of Game had passed this -- had created
 5 the controlled use area in response to conflicts between local
 6 hunters who were accessing the area by boat and fly-in
 7 non-local hunters. And this is predominantly for moose
 8 hunting, although it would apply to anybody hunting in that
 9 area at that time. The controlled use area didn't really solve
 10 enough of the problem, and so then they decided after a group
 11 of people, local people, land owners, Federal land management,
 12 Federal land managers, ADF&G got together and decided that
 13 this was the best solution to the problem.

14

15 Prior to 1989, the moose population in this area was
 16 stable. Then in -- from 1989 to '91 there were some severe
 17 winters and there was a decline in the moose population. I'm
 18 not going to go into great detail on this. You can read it in
 19 your books, since we're trying to do short summaries, but
 20 basically the decline showed a decrease from 57 bulls per 100
 21 to 35 per 100. That was a drop from 1987 to 1989. The
 22 declines were due to the increased over-winter mortality as
 23 well as the increased hunter pressure on large bulls. Unit 23
 24 that this is in also has the lowest productivity rate for moose
 25 in the State.

26

27 This area as you all know is used predominantly by
 28 Noatak River residents. They use it north of Eli River
 29 predominantly. And Kotzebue residents also use it
 30 predominantly south of the Eli River.

31

32 The August/September hunting period accounted for 98%
 33 of the reported harvest of the original controlled use area and
 34 78% of the proposed controlled use area. We also know that 206
 35 moose were harvested during the proposed closure date, and of
 36 these 141 were utilizing aircraft. So what this represents,
 37 the 141 who were utilizing aircraft are 59% of the over-all
 38 August/September harvest, and 62% of the harvest where aircraft
 39 were used. I think when you see -- hear those figures, you
 40 realize that by closing that area to aircraft, that it's going
 41 to significantly reduce the number of hunters using aircraft,
 42 and it will also reduce the number of moose harvested. And I
 43 think, you know, it's an easy conclusion to see that the
 44 expansion would benefit subsistence users by shifting air
 45 traffic away from the Noatak River and away from their
 46 additional harvest area and conflicts between local and
 47 non-local hunters should be reduced, and subsistence hunters'
 48 access should improve.

49

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1 The only public comment we got on this proposal was
 2 from the State and they obviously were in favor of it.

3
 4 That concludes my analysis. Does anybody have any
 5 questions?

6
 7 MR. BAILEY: Mr. Chairman, I just want to make a
 8 comment on that. This proposal that got passed by the Board of
 9 Game, in talking and speaking with the residents of Noatak,
 10 this made a positive impact towards the village by extending
 11 that proposal all the way down and all the way up, and it was
 12 very positive. The local residents were very happy. Last
 13 hunting season showed it really worked. So -- and this
 14 proposal will be real important and I urge passage of this
 15 proposal.

16
 17 CHAIRMAN SCHAEFFER: For the record, before we act on
 18 this proposal, we have Ann Ruggles here, who is a member of the
 19 Board of Game, and as I understand it, it's somewhat out of
 20 sort of a biannual sequence, this proposal is going to be up
 21 for review in the March meeting of the Board of Game?

22
 23 MS. RUGGLES: There was a petition for us to reconsider
 24 it at the November -- the petition was brought to us at the
 25 November '94 Board of Game meeting to reconsider it.

26
 27 COURT REPORTER: Ma'am, could you come up to the
 28 microphone? I'm having trouble hearing you.

29
 30 MS. RUGGLES: There was a petition brought to the Board
 31 of Game at its November of '94 meeting to reconsider this
 32 regulation. What that means is that we will ask the people who
 33 came down last time to come talk with us again. The advisory
 34 committees involved to come talk with us again. The Department
 35 will do its presentation to us again. And we will in essence
 36 through the same steps we did the last time.

37
 38 CHAIRMAN SCHAEFFER: Where did the petition originate
 39 from?

40
 41 MS. RUGGLES: A conversation between the Chairman of
 42 the Board and a former division director for the Department of
 43 Fish & Game.

44
 45 CHAIRMAN SCHAEFFER: And that was, excuse me,
 46 Mr. Pettihouse I assume?

47
 48 MS. RUGGLES: Yes.

49
 50

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1 CHAIRMAN SCHAEFFER: Uh-huh. Any questions from the
2 Council? Thank you, Ann.

3
4 MR. BAILEY: March 30? What was it, Pete?
5 Mr. Chairman?

6
7 CHAIRMAN SCHAEFFER: What is the date of the meeting
8 again, Ann?

9
10 MS. RUGGLES: The coming one?

11
12 CHAIRMAN SCHAEFFER: Yeah.

13
14 MS. RUGGLES: It starts March 18th and goes through, if
15 we're lucky, April 2nd. I have a feeling it's going to take
16 longer.

17
18 CHAIRMAN SCHAEFFER: Thank you.

19
20 MR. BAILEY: I'll be there.

21
22 MR. GRIEST: You make the motion.

23
24 MR. BAILEY: Oh, this? Is this up now? Mr. Chairman,
25 make a motion that we approve Proposal #50, the Noatak
26 Controlled Use Area.

27
28 MR. GRIEST: Second the motion.

29
30 CHAIRMAN SCHAEFFER: I did. Okay. It's been moved and
31 seconded for approval of Proposal 50. Since we're in
32 discussion, the discussion normally opens the floor to any
33 interested folks to input if they feel necessary. Is there any
34 comments from the public? Lois?

35
36 MS. DALLEMOLLE: Mr. Chairman, this is Lois Dallemolle.
37 I guess again just to reiterate that this proposal was
38 developed jointly between many, many people that had an
39 interest in it. People from the Village of Noatak, Federal
40 people, State people. I would urge that it remain through both
41 the State system and the Federal system, because it was
42 developed jointly to meet a need that everyone perceived, and
43 we felt this was the best way of meeting that need, and we all
44 felt strongly about it. I would urge that it remain on the
45 books and pass the Federal system also.

46
47 CHAIRMAN SCHAEFFER: Thank you. Any other comments?

48
49 MR. GRIEST: Call for the question.

50

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1
2 CHAIRMAN SCHAEFFER: Okay. The question's been called.
3 All those in favor of the passage of Proposal 50 say aye?

4
5 IN UNISON: Aye.

6
7 CHAIRMAN SCHAEFFER: Any opposed?

8
9 (No opposing responses)

10
11 CHAIRMAN SCHAEFFER: Unanimous.

12
13 MR. BAILEY: All right.

14
15 MR. KOVACH: Mr. Chairman, the next proposal for the
16 Council is #51. It addresses caribou, and this proposal was
17 also submitted by this Council. And it would increase the
18 harvest limits from -- for caribou, from five per day to 15 per
19 day throughout all of Unit 23 here.

20
21 As you all know, the Council basically made this
22 proposal, because it was felt that it's more efficient to take
23 up to 15 caribou in a single day than rather over a two or
24 three-day time period, because of travel requirements and
25 weather and factors like this.

26
27 As you well know, not only do residents of Unit 23 have
28 positive customary and traditional use determination for the
29 Western Arctic herd, but residents of Units 21(D) west of
30 Yukuk and Yukon Rivers, Unit 22(A), 22(B) and 24 and 26(A)
31 also have a positive customary and traditional use
32 determination for this herd. As such, the Western Interior
33 Council, the Seward Peninsula Council, and the North Slope
34 Regional Council will also be reviewing and making
35 commendations to the Federal Subsistence Board on this
36 proposal.

37
38 As you all know, the primary users of caribou within
39 the unit are residents within the unit as well as some
40 frequent use by residents from Units 21, 22 and 24. A number
41 of Fish & Game Subsistence Division studies have been conducted
42 that looked at caribou as well as other species, and the use of
43 caribou by residents throughout the unit is fairly well
44 documented.

45
46 The Western Arctic Herd is predominantly the only
47 caribou herd that occurs on a regular basis within the unit
48 here. It is currently stable to slightly increasing in size.
49 The last minimum estimated population was at 450,000.

50

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1
2 It was related to me last fall that the Fish & Game
3 Biologist in Barrow in their tagging operations and collaring
4 operations in the fall of '93 and '94, he was noticing that
5 bulls that they were capturing were actually in poorer physical
6 conditions than they had been about three years prior to that.
7 This decline in physical condition, although the specifics are
8 unknown, may be an indicator that the herd may be larger than
9 the summer carrying capacity of the habitat, or that the herd
10 may be preparing a downward decline. It's just unknown. We
11 don't really understand what this may be trying to tell us, but
12 is something he wanted to let people be aware of, that there
13 -- does seem to be a declining -- a decline in the physical
14 condition of animals. Leastways fall bulls at least.

15
16 We do know that the -- although we don't have specific
17 information, we do know that the significant -- the subsistence
18 take of caribou in this unit is significantly higher than that
19 of the non-subsistence take, but that the non-subsistence take
20 generally restricted to the August and September time
21 periods. The applicable proportion of the harvest by
22 non-subsistence users on Federal public lands within 23 is
23 unknown.

24
25 There are two similar proposals to this, Proposal 64
26 and 65, which we also will be asking this Council to review.
27 These proposals are from the North Slope area. They also
28 affect the Western Arctic Caribou Herd, and we'll be addressing
29 those next, but they're basically similar in that they're
30 asking for increases in the daily bag.

31
32 Historically the Federal Subsistence Board has received
33 similar proposals in the past. In 1992 the Board had two
34 proposals. One requested a no limit for caribou in Unit 23,
35 another requested a ten-caribou per day or a 15-caribou per
36 day. The proponent was saying, "We want either ten or 15, but
37 we want an increase." Both of these were rejected by the Board
38 at that time based on a lack of evidence that supported that
39 such a change was needed. There was concern expressed that
40 such limits may result in waste of meat through spoilage or
41 loss to scavengers, and also here was some references made to
42 requirements that ANILCA has for the maintenance of healthy
43 populations of wildlife.

44
45 There was also a lack of evidence that the subsistence
46 users were not getting the number of caribou that they needed
47 with the existing regulations. And this aspect of this current
48 proposal also needs to be expanded on by this Council during
49 their deliberations here and included in their justification,
50

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1 if they vote to support this proposal.

2

3 Basically, there's no biological reason not to increase
4 the harvest limit at this time; however, the Council does need
5 to be mindful that there are significant concerns outside the
6 region with regards to potential for waste of meat.

7

8 And that's all we have for our staff report.

9

10 CHAIRMAN SCHAEFFER: Thank you.

11

12 MR. KOVACH: Oh, sorry, excuse me.

13

14 MS. H. ARMSTRONG: Here, I've got it. I've got it.

15

16 MR. KOVACH: Oh, have you got it? Okay.

17

18 MS. H. ARMSTRONG: We do have a couple of comments from
19 the public that we need to share with you. The Alaska
20 Department of Fish and Game was neutral on this proposal, and
21 the Alaska Wildlife Alliance in Anchorage opposed this
22 proposal, stating that, "despite the large size of the herd,
23 tripling the number allowed killed per day is unwise and sets a
24 dangerous precedent. Five caribou per day is a reasonable
25 opportunity. Fifteen caribou per day is wasteful and may
26 create abuse." Those -- that concludes the public comments.

27

28 CHAIRMAN SCHAEFFER: Okay. We'll do the sequence of
29 this proposal slightly different. We'll have the discussion
30 first, then act, I guess like we're supposed to.

31

32 But before we do that, can somebody turn on the rest of
33 the lights here? We might create a scenario where people will
34 fall asleep or something.

35

36 I think the most compelling reason for proposing this
37 change in the first place was mostly because of the technical
38 isolation aspects of having to have your needs met in some
39 circumstances that would not allow the five per day situation
40 meet that.

41

42 I think the other thing is that I can guarantee that if
43 I ever knew anyone that was wasting meat, that I would do my
44 best to wrap their firearm around their neck, because I think
45 the other thing that's alluded in this whole process is that
46 there is significant mistrust of rural residents and their
47 wisdom about how they would handle the situation anyway. And I
48 think that's probably attributable to their licensing system
49 which basically requires no skill to get one in the first

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place. And I would suggest that justification be the basis of our argument for an increased bag limit.

3

4 I understand what those other folks are trying to tell us in terms of how not to do things differently, but at the same token, if I was an avid sports hunter, then I would assume that one caribou a day was adequate or one caribou for the season, if the horns was all I was interested in really. When annual needs are being met with conditions that sort of coincide for an opportunity to be there, I think the regulations should be flexible enough to allow that to happen. 12 don't think that this is going to create the scenario where people are going to go out there, and if there's 14 caribou, holy smokes, you know, we can knock them all over, is going to happen. I mean, it's just not common sense, it's not good management. And the reason I think the caribou have multiplied 17 numbers is because we have created an environmental scenario which contributed to that increase to happen, rather than the opposite. So

20

21 Jim?

22

23 MR. MAGDANZ: Mr. Chairman, would you like me to put a few observations on the record on this?

25

26 CHAIRMAN SCHAEFFER: Can you come up to the mike first, Jim? Sure.

28

29 MR. MAGDANZ: My name is Jim Magdanz, and I just wanted to offer some observations from the time I've spent on the Kobbuk River observing caribou boat hunting and to some extent on the Noatak River as well.

33

34 I believe when this five per limit regulation was established, some of the testimony about an appropriate number was based on a winter hunting scenario: A sled load of caribou was considered to be five caribou. And that the Board of Game 38 adopting that limit took that into account.

39

40 In my time on the river, you know, I've observed boat hunting which is somewhat different than the spring or winter hunting of caribou. It's quite -- first of all, in the fall migration you're -- it's quite possible for quite large numbers of caribou to be available at one time, and a boat is capable of carrying a larger number of caribou than a sled is capable. This is especially true for hunters from -- who are involved in Kotzebue Sound fisheries where hunters need larger boats to manage the heavier weather down here. And when those hunters travel upriver to hunt caribou, not only are they going quite

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some distance, but they're probably doing it in a boat that's big enough to carry seven or eight, ten caribou. Perhaps some people from Kotzebue area could comment about that. So one affect of this would be to provide some additional flexibility for boat-supported hunting, that -- where hunters travel a long distance and want to make efficient use of their time and their gasoline. Right now as it stands, you travel up the river, you shoot five, then you have to wait for a day and hope that another herd crosses and shoot another five, and then you've got a boat load and you can come home. But this change would allow some of that boat hunting that occurs to be just a little bit more efficient.

13

14 Thanks.

15

16 CHAIRMAN SCHAEFFER: Thank you. Any questions?

17

18 MR. GRIEST: Maybe I'd like to make a couple of
 19 comments in response. I think the reason the five per caribou
 20 limit came about was the concern for the antlers, mainly
 21 because they were concerned about the Orient coming around and
 22 buying some antlers and that kind of stuff principally. There
 23 was back in the mid or -- yeah, mid 70s, when Fish -- I was
 24 around and I saw it happen when Fish & Game biologists went to
 25 all the villages and told people that the Western Arctic Herd
 26 had crashed from something like 240,000 to something like 40 or
 27 50,000, and told people that eventually the hunting to caribou
 28 was going to be closed. People asked them if -- when it will
 29 open again, and they said, "maybe never." And some people
 30 got concerned and went out and tried to get as many -- some
 31 caribou as they can and I guess some went out hunting and got,
 32 you know, ten to 15 or something like that, and then went home
 33 and then went out and got the rest of the caribou back.

34

35 There were some staff members, too, in the -- within
 36 the Department of Fish & Game that were basically anti-
 37 subsistence, really pro-sports hunting kind of staff members.
 38 They got ahold of the media and got the media to say that there
 39 was wanton waste happening while in over-all sense there
 40 wasn't. And so just from one or two incidences, out comes this
 41 story about this wanton wasting, so as far as this wanton waste
 42 issue is concerned, it was kind of a ploy by some sports hunter
 43 oriented personnel within the Department of our State
 44 Government that did this kind of a political kind of thing.

45

46 In some of our communities gas is about \$3.50 a gallon.
 47 When you go out hunting, there's -- you know, if we bring it
 48 up to 15 caribou a day, it would be -- have a positive socio-
 49 economic effect. I think it's -- in the traditional sense,

50

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it's less than our traditional and customary amount we used to get when we used to hunt caribou with dog team or even with boats sometime, because we used to get more in the day when we used to feed them to our dog.

5

6 And sometimes when it's super cold and you really need to go out and get caribou, a one-day hunt affair is generally a preferred alternative than a two-day one. And I think it's a safer one. Sometimes two snow machines go out in a family, and they -- one person might do the hunting, and the other person just tag along to learn how to hunt and that kind of stuff, a younger person, so generally sometimes one person will do all the shooting and all the gathering of -- I mean, all the getting of the caribou, so there's that portion of the argument as well.

16

17 Anyway, I think it's -- there's got to be some kind of amoral and it's a fair -- fairness kind of question on the impact on our culture and our customary and traditional hunting thing. At least this goes half way there and allows us to get what we need sometimes. And one day rather than, you know, -- rather than be forced to get five a day. That's all I've got.

23

24 CHAIRMAN SCHAEFFER: Thank you.

25

26 MS. H. ARMSTRONG: Could I ask a question of the Council? Jim said that he thought that something like seven or eight caribou could be carried in large boats, but maybe -- but maybe you would like to comment on that. Is that -- can more be carried than that, or is that about right, or

31

32 CHAIRMAN SCHAEFFER: Well, some of the boats we have now capacity carry as many as 20 animals. And that's typical of the larger craft which are increasing in numbers, because they also have the horsepower to go along with it, generally in the range of a V-6, which is 150 to 220 horsepower.

37

38 MR. BAILEY: Mr. Chairman? I just wanted to comment a little bit about the range, especially when the caribou -- say they're not crossing near our villages, and we have to travel 100 miles to go get the caribou, and, you know, gas is expensive. I'm not just going to come back with five in that one day. If I'm going to make a round trip, I'm going to load a boat, because our boats can load 15 all the way up to 30 caribou if we have to.

46

47 And -- and the comment about the winter hunting and sleds, we go out to hunt all the way from Noatak to Buckland. We can carry up to ten caribou in our sleds, all cut up, in one

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1- just one trip. We cut it all up, and we could take ten whole caribou in our sled on a one-day hunt. That five, carrying on a sled, it's not accurate. We have a lot more than that. Thank you.

5
6 CHAIRMAN SCHAEFFER: Thank you, Bill. Any other comments? John?

8
9 MR. ERLICH: Yeah. Since right now this proposal is -- the discussion is on making a proposal or discussing here today, I personally support the proposal, but if the proposal ever comes before the Board as far as -- again as a no bag limit, I think there are some other considerations as far as concerns about waste. During times of abundance, I think it was Raymond had pointed out a couple months ago, the concern that having a bag limit of any kind during times of abundance could actually promote waste among people that aren't brought up on the tradition of taking only what you need, even in time of abundance. And that's a consideration I believe to for a bag limit proposal, and perhaps time to begin.

21
22 CHAIRMAN SCHAEFFER: Thank you, John. Any further discussion? Lois?

24
25 MS. DALLEMOLLE: I just wanted to comment that in the past apparently the Board has looked at need as a criteria for passage, and need -- a demonstrable need for the change, but they have also acted on some proposals that were proposed in order to make them more consistent with people's customary and additional lifestyle, and this may be a case that that would be more appropriate than using need as a criteria.

32
33 CHAIRMAN SCHAEFFER: Thank you. Ray?

34
35 MR. STONEY: Yeah. Mr. Chairman, heck, I'm not against this proposal. Now, like myself in Kiana, if I have to go to Buckland, that's 100 miles, and I'd like to get 15 caribou. Like I said, I'd probably haul maybe seven. Then I have to go back the next day again to pick the remainder of the seven, so make a three-day, three-trip deal. So there should be something that seasonally that maybe we could get 15 a day during the fall season, and then maybe five or seven in the winter season. Like John said, like if wanton waste do occur. Like if I was to go to Buckland and get caribou and then the weather turned, probably on me, I probably won't even come back any more. You know, leave -- leave seven caribou. So there should be some flexibility on like -- you know, I'm not against what you're saying, Bert, and all that. Like I say, you can haul, like you said, 30 caribou in the fall season, but winter

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time is quite a bit different. I'm not against this proposal,
But it's just a comment.

3

4 CHAIRMAN SCHAEFFER: Thank you.

5

6 MR. GRIEST: Mr. Chairman? We don't travel alone.

7

8 Mr. Chairman, regarding the winter thing, generally we
don't try to get more caribou than what our sleds can handle,
and a lot of times if it's real cold, you could cut up -- cut
them up real quick, skin and cut them up, and you can carry --
We used to have a sled that'd carry 13 caribou, you know, and
so you could just take as many as your sled will allow. So it
just depends on the type of sled you've got, and generally
people don't get more than what they can carry. And they don't
like to leave caribou out there anyway.

17

18 The other point, too, is if I'm not mistaken, there was
no bag limit on caribou until about 1974 or '75 or something
like that. On the Western Arctic herd.

21

22 CHAIRMAN SCHAEFFER: Okay. If there's no further
discussion, then a motion's in order I suppose.

24

25 MR. GRIEST: Mr. Chairman, I move that we approve the
proposal to be submitted on increasing the take of -- from five
caribou per day under existing regulation to a proposed
regulation on 15 caribou per day.

29

30 MR. BAILEY: I'll second the motion, Mr. Chairman.

31

32 CHAIRMAN SCHAEFFER: Okay. Any further discussion?
Anyone in the public? Hearing none, all those in favor of
passage of Proposal 51, say aye?

35

36 IN UNISON: Aye.

37

38 CHAIRMAN SCHAEFFER: Any opposed?

39

40 (No opposing responses)

41

42 CHAIRMAN SCHAEFFER: It's unanimous.

43

44 MR. KOVACH: The next two proposals in your book,
proposals #64 and 65, these proposals are actually for the
North Slope as I indicated before, but because they address the
Western Arctic herd and residents of this region have a
positive customary and traditional use determination for the
Western herd, this -- the Board would like this Council to also

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deliberate on these proposals and provide some recommendations.

2

3 So just very briefly, Proposal 64, which was submitted
by the North Slope Advisory Council, would increase the harvest
limit for caribou in Unit 26(A) from five per day to ten per
day, from five per season to ten per day in Unit 26(B), and ten
per season to ten per day in Unit 26(C). Proposal 65, which
was submitted by -- how do you say that again?

9

10 MS. H. ARMSTRONG: Kuukpikmiut.

11

12 MR. GRIEST: Kuukpikmiut.

13

14 MR. KOVACH: Thank you. Kuukpikmiut Village. Their
proposal would increase the daily harvest limit in Unit 26(A)
from five per day to ten per day, and increase the harvest
limit in 26(B) from five per season to ten per season.

18

19 All we are asking this Council to do is deliberate on
those aspects of these two proposals that affect Unit 26(A),
because that is the primary area where the Western Arctic herd
resides, and that is the herd that is of concern to this
Council.

24

25 MR. GRIEST: That's just for Unit 26, right? Is that
just for Unit 26?

27

28 CHAIRMAN SCHAEFFER: Right. Since I think we're not
talking about an allocation problem here in terms of
population, that those people can do as they please, and I
don't think that these proposals have any potential detrimental
impact at the moment, so I would make the recommendation that
since these proposals come from different areas that they be
the conveyors of their concerns to the Board of -- Federal
Subsistence Board.

36

37 MR. KOVACH: What the -- what the board ran into last
year is that there were proposals for one area that Council
deliberated on, but when they discovered there was another --
people from another region had a positive c&t and they did not
have a chance to deliberate on those proposals, they actually
sent those proposals back to the other Council, because they
wanted their input before making any action on it. So that is
why we're bringing these proposals before the Council now, and
just so the Board has input from all people who have concerns
for that resource. And what -- your proposal, which was for 15
day, of course, is more liberal than the ten per day.

48

49 MS. H. ARMSTRONG: Your input, it's perfectly

50

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acceptable to say that "we're going to turn it over to them."
That's fine.

3

4 MR. KOVACH: Right. Yeah. That's fine.

5

6 MS. H. ARMSTRONG: Just as long as we bring it up to
you. Yeah.

8

9 CHAIRMAN SCHAEFFER: And that's agreeable to the rest
of the folks?

11

12 MR. GRIEST: We have to travel quite a ways, and ours
13

14

15 CHAIRMAN SCHAEFFER: Okay. That takes care of 64 and
65.

17

18 MS. H. ARMSTRONG: Now we can move on to 43, which is
not in your book, but it -- you have it as a separate piece of
paper. And if we can have the next -- our next overhead?

21

22 I'm not sure how we want to do this. It would be
whatever the Council wants, but 43 and 44 are directly related.
24 Forty-three requests a change -- well, requests a positive
25 customary and traditional use determination be given for musk
26 in Units 22(B), 22(C), (D), (E), and for 23 west of the
27 Walik River. And then 44 asks for the season and bag limits.
28 And I'm doing the customary and traditional use part, Steve's
29 doing the seasons and bag part. And I don't know if you would
30 like to have it all done at once, all -- he's going to do the
31 biological analysis, or if you want to just do -- I'll just do
32 the c&t and you can make a decision and then move on to the
33 next. I don't know if you want to hear the biology at the same
34 time.

35

36 CHAIRMAN SCHAEFFER: Perhaps what I ought to do is
maybe give kind of an overview as to what happened in the State
38 counterpart, too, since this would also impact
39 significantly

40

41 MS. H. ARMSTRONG: Okay.

42

43 CHAIRMAN SCHAEFFER: what we do here.

44

45 MS. H. ARMSTRONG: If you would like to do that. We
were prepared to do that, but go right ahead.

47

48 CHAIRMAN SCHAEFFER: Okay. Well, basically what
happened at the Board of Game meeting was a determination was

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made that was not a positive customary and traditional determination. And as I understand it, that was based on an A.G.'s input into the process that basically tied the hands of the Board of Game to do anything otherwise, so that resulted in what we would call a negative customary and traditional determination.

7

8 I think in terms of how that situation came about, probably a lot could be affected and have probably been affected by politics. I'm not the one to make that determination, but I think in turn politics can probably be used to change the negative determination, because I -- the fear is that I believe that that sets a precedent not favorable to future considerations should another situation occur. The difference this time is that musk ox happened to be a transplanted re-introduction into formerly traditional areas, so that raised the question as to whether qualification in the past in fact constitute qualification given the present tense, so how I understand it.

20

21 So in terms of the customary and traditional determination, I think we basically disagree with the findings of the State, and would urge the Federal Board to do something different than that. We would submit to the Federal Board consideration for a positive customary and traditional determination, and perhaps a bag limit and hunting season afforded that determination, because that would significantly change the nature of how those animals would be allocated, probably still to be determined, unless the particular preference substance was the total animals that were going to be allowed to be taken.

32

33 As I understand it, the second step was that based on a take of 24 animals, that there were two scenarios -- or scenarios created to afford local residents perhaps some opportunity to get more animals than would otherwise be the case if all animals were subject to a permitting type of scenario. So I guess what happened was that half were dedicated to a permitting process, half were dedicated to a -- what was it?

41

42 MR. GRIEST: A drawing.

43

44 CHAIRMAN SCHAEFFER: Yeah. A drawing process.

45

46 I think that in the event that the Federal Subsistence Board was to make a positive c&t determination, that arguably, you know, all of the animals taken can be considered for subsistence use, but I don't know whether or not in the true

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sense of fairness to anybody that that is the only situation under consideration by this Board, but if subsistence use is our only consideration, I would also make it -- make it maybe that -- to suggest that a working group be created to finalize the hunting scenario as far as how the hunt would be handled, because still to be determined is if in fact the Federal Board is going to do anything different. And if not, then I think it would be appropriate to go through this proposal to consider whether or not we want to adopt it as a means of basically copy what the State has already done. But I think this situation has created a real need to depart from the partnership of the State and Federal scenarios to do something different, and I would make that recommendation to this Council. So it's open for discussion.

15

16 MS. H. ARMSTRONG: Do you want us to give any discussion on the c&t, the -- or shall we -- did you want to -- 18 mean, if you want, we can go over it. I don't know if you 20 have read that or not, but to go ahead and talk about the 22 it and what we -- it's your, you know, your pleasure, whatever 24 the case.

22

23 CHAIRMAN SCHAEFFER: Well, I myself am familiar with 24. I don't know if the other members wish to

25

26 MR. GRIEST: Yeah.

27

28 CHAIRMAN SCHAEFFER: hear it again, that's up to 29 them.

30

31 MR. GRIEST: I know there was

32

33 CHAIRMAN SCHAEFFER: Go ahead.

34

35 MR. GRIEST: familiar with remembering Kivalina residents and Kotzebue, Deering. Buckland used to regularly get -- they used to talk about musk ox way, way, way back when they used to be available at the town. Not so much -- most of 38 coastal as far as I remember.

40

41 MS. H. ARMSTRONG: There might be a couple points I 42 might -- that if I could make?

43

44 One of the ones I really want to emphasize is that -- 45 where the Federal public lands are, and we don't have this 46 overlaid, but this map up here -- Lois, can you hear me? 47 it okay? I mean, Meredith. I'm sorry. We don't have 48 Federal public lands overlaid here, but this -- you have to 49 remember that what we're doing is only for federal public

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lands, and the park lands are coming down right in here, and then you have some scattering of BLM lands. But if you look at that map over there on the wall, you can see that it's only about -- well, it's a rough estimate, about 20 to 25% of that area is Federal public lands, so that, you know, people need to keep that in mind when you're talking about the State hunt versus the Federal hunt, that there's not a lot of -- there's not a whole, whole lot of Federal public land in that area.

9

10 We're going to -- Yeah, thanks. We do have a map that shows this, but we only have one, and we'll just pass it around so you can see the red, those little triangles here are the red X's, and then you can see how it fits with the Federal public lands.

15

16 I wanted to just mention, just to kind of explain this a little bit more. I know people are starting to get this whole thing with c&t, but the Federal Subsistence Board adopted all of the State c&t determinations, and as of now they have not -- they've only made one -- one different one? Rainbow trout?

22

23 MR. KNAUER: No, they made a couple of interim.

24

25 MS. H. ARMSTRONG: A couple of interim. They did a couple of interim ones, but basically in essence most of them, the majority, are still what the State had done. And the State has not been I guess totally consistent is the best way to put it. I don't want to offend anybody, but in making their determinations. And there is a table in your analysis that shows how they have made some positive c&t determinations of resources that were introduced. For example, they did it for musk ox in Kaktovik, and they have had two -- they initially made a negative determination. It was then revisited. There was more in-depth analysis that was done, and it was determined that they did have a positive determination of musk ox.

37

38 It's -- I know the reasons why the Board didn't do it last week for the Seward Peninsula, but it's still a little bit unclear as to how they could have made -- you know, there could be two differing determinations like that.

42

43 There was also -- the Board of Game also determined that residents of Kodiak Island have traditional use of deer. And there's been one for Nushigak Peninsula, caribou had disappeared and then came back, and that was also a positive determination. So it has happened that the State's done it.

48

49 Now, what the Federal Board will do, it's hard to tell.

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1 You know, there's really no easy answer to that.

2

3 I know a lot of my information I got from Jim Magdanz
 4 when he presented the analysis to the Board, and he was
 5 emphasizing how moose was once not available on the Seward
 6 Peninsula. It became available, and nobody would ever doubt
 7 today that that's not a customary and traditional resource that
 8 people use. And so if you look at that, look at moose, I mean,
 9 it's a good argument. People have incorporated it into their
 10 lifestyle, and they would do surely the same thing with musk
 11 ox.

12

13 I think if you look at musk ox in Kaktovik, you see
 14 that people have truly incorporated it as part of their
 15 subsistence -- subsistence resource use. They use it -- they
 16 participate in the harvest. They use it for -- the hides for
 17 fur and horns, and they trade it, they barter it. They use the
 18 meat, they share it. It's part of their -- all of their
 19 ceremonies.

20

21 MR. BAILEY: The same thing

22

23 MS. H. ARMSTRONG: And I think it could be argued that
 24 the same thing would happen here.

25

26 There's not a lot of evidence of people -- of
 27 archaeological evidence of musk ox, but we do know there was
 28 some at one point quite a long time ago here. And the -- it
 29 probably became extinct somewhere towards the end of the 1700s,
 30 early 1800s.

31

32 When the -- when the Federal subsistence program
 33 created the c&t, they did it a little bit differently from what
 34 the State did, and we call them not criteria, but factors. And
 35 we try -- I have tried to make it so that it's a little bit
 36 more -- maybe it's a little easier to have one thing not be --
 37 could not be there, but they could still give c&t. Their
 38 definition of some of the factors aren't quite the same, but as
 39 with the State, I think that probably the most -- the one that
 40 will be given the most weight is the long term consistent
 41 pattern of use. But in that is -- in that is also that
 42 including interruptions beyond the control of the community or
 43 area, and I think that's part of what we can emphasize, is that
 44 they were -- that it -- there was an interruption of the use,
 45 because they became extinct. And that if musk ox were still
 46 here, people would still use them.

47

48 And I think if they were able to use them, they would
 49 have a specific harvest season, which is factor number two,

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just like they do for other resources, and just like Kaktovik has a specific harvest season, although it's according to regulations.

4

5 The third factor is that there's an efficient -- an economic harvest, and I think you can say that all the other subsistence harvests are efficient and economic, and you look at what the people are doing here today, that they would do the same with musk ox, and just as people in Kaktovik are doing. 10 -- musk ox is a very efficient harvest anyway, because they're easily hunted.

12

13 The fourth factor is that it's reasonably accessible. And I think musk ox in the Seward Peninsula are reasonably accessible, and it would be actually reasonable to say that they -- you know, that if they could harvest them, that they would be accessible.

18

19 And the fifth factor is the traditional processing methods. They would harvest them in much the -- process them much the same way they do other things.

22

23 And I think you could go through all of these -- the sixth factor is intergenerational transmission of knowledge, and there's, you know, a lot of evidence that they would be doing it the same way as they have other resources, and the same with sharing.

28

29 Reliance upon a wide diversity of resources. The -- we know that people in the Seward Peninsula depend upon a wide diversity of resources, and so that factor is one that we have evidence for.

33

34 I think -- our conclusion is that if you -- if you have the viewpoint that ANILCA intended to provide for the continuity and the subsistence way of life, and continuing use of wildlife resources, and utilization of locally available resources, then that the communities in Unit 22(B), which are White Mountain, Elim, Golovin, and Koyuk, in Unit 22(C) it's Nome, 22(D) is Teller, Brevig Mission, and Mary's Igloo and Wales, and 22(E) Shishmaref, and in 23 Deering and Buckland where the musk ox are, that those communities should have a positive c&t determination. So those were our preliminary conclusions, and then we look to the Council to -- for your vote on what you think should be done.

46

47 Let me just give you the comments real quickly on that. What the comments were. The ADF&G were the only ones who gave comments, and they were neutral, saying that the "State

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opposes the Federal establishment of any interim c&t determinations, including the one proposed here. Continuing to do so rather than making a bona fide determination based on thorough analysis of the local situation using assessed Standard criteria methods does not serve the purpose of Title Eight in ANILCA. Although the Department agrees with the intent of the cooperative management planning effort, it is advisable to postpone a decision on this proposal until the Alaska Board of Game has decided on State regulations for musk ox hunt in 22 and 23." Which actually they now already have, but, anyway

12

13 That's our -- concludes our analysis.

14

15 CHAIRMAN SCHAEFFER: Thank you. Any questions or comments?

16

17
18 MR. MOTO: Would your permit system change if we --
19 like in that little piece of land where we're talking about,
20 that Bering Land Bridge, would we be able to buy permits there
21 from the State, or would we have to through the Federal?

22

23 MS. H. ARMSTRONG: Well, that hasn't been -- we haven't
24 decided that yet. I mean, that depends on what you decide in
25 proposal 44.

26

27 MR. MOTO: Well, I know I went down to that Board and
28 we got 12 for the six villages, you know, and 12 for the rest
29 of the State, and

30

31 MS. H. ARMSTRONG: Uh-huh (affirmative).

32

33 MR. MOTO: two for Outsiders, and I know we
34 weren't quite satisfied with what we got, but

35

36 MS. H. ARMSTRONG: Uh-huh.

37

38 MR. MOTO: at least we got a start, so we'll see
39 where it goes from there, but still we've got Elim, White
40 Mountain and those still blocked out of the hunt.

41

42 MS. H. ARMSTRONG: Well, it's my understanding, and
43 Steve can correct me if I'm wrong, that if we were to have a
44 Federal hunt, that the number of musk ox that would be taken
45 would probably -- would have to come out of that 24, that it
46 wouldn't be 24 plus some Federal musk ox, that some would be --
47 and I think that -- is that correct?

48

49 MR. KOVACH: That's the current plan.

50

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1
2 MS. H. ARMSTRONG: Yeah, that that would be what would
happen, and so what it would mean is that you'd have some
permits for Federal lands, some for State land. But it would
also mean if we had a Federal hunt, and Steve will get into
this more, is we would have to close Federal public lands to
all non-subsistence users, because there's a limited number of
musk ox. And whenever there aren't enough musk ox to fulfill
the needs of the people, then -- or any -- this is true with
any resource, then we have to close Federal public lands,
because it's our mandate to protect first the -- provide first
for the subsistence uses. So

13
14 CHAIRMAN SCHAEFFER: All right. We -- yeah. I think
we understand that. But I think in terms of your comments,
James, as I mentioned on my introduction of the subject is that
there is no population of these animals directly dedicated to
subsistence use. By that I meant that whether it's a
registration or a permitting process, that basically any Tom,
Dick and Harry would qualify for, you know, whatever process
was used to allocate those numbers of animals. For instance,
say if the allocation was to occur in Deering for the current
scenario with 12 animals say for registration, would mean that
it's on a first come, first served basis, so that would mean
that whatever line, wherever the permits or the registration
was going to occur would basically -- or where they have the
permits I guess, would basically be first come, first served,
so theoretically what can happen is that a population of folks
could come in and basically take up all of those -- all of that
allocation. I mean, that's possible and it's probably happened
before.

32
33 MS. H. ARMSTRONG: It happened in Kaktovik before it
was a hunt just for Kaktovik people.

35
36 CHAIRMAN SCHAEFFER: And that's the result of a
negative c&t finding. I mean, that's why I think this body
needs to urge the Federal Subsistence Board to make a positive
c&t determination solely for the allocation, but also that this
sets, like I said before, a very dangerous precedent for the
future.

42
43 I need some clarification. Maybe, Jim, you can help
me. The process that was used is 12 for permits and 12 for
registration types of hunts?

46
47 MR. MAGDANZ: Yeah, both systems are permit systems.
In the drawing permit system you obtain a permit by
participating in a lottery, and in a registration permit, you
50

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obtain a permit by being at the head of the line.

2

3 CHAIRMAN SCHAEFFER: Okay. That's -- that was a little
4 confusing.

5

6 Go ahead, Art.

7

8 MR. IVANOFF: I'd like to make a comment. It seems
9 what

10

11 CHAIRMAN SCHAEFFER: You need to state your name for
12 the record.

13

14 MR. IVANOFF: My name's -- my name's Art Ivanoff, and I
15 work with Maniilaq Association. And just looking at the
16 allocation here, there's 24 permits that's going to be
17 available, but all 24 permits are going to be made available to
18 urban residents as well as rural Alaskans. In Kaktovik I do
19 believe there's some -- there's some urban residents that paid
20 something like \$500.00 to buck the line. And if that's an
21 indication, I think we're going to see the same thing here.
22 I'm just real concerned about the impact that the State's
23 regulation might have on our communities. ANILCA, Title Eight
24 said that that's the subsistence users, and if the Board
25 doesn't choose to live up to ANILCA, then it's not doing its
26 job. And that's all I've got to say.

27

28 CHAIRMAN SCHAEFFER: Thank you. Any other comments
29 from either the Council or the public?

30

31 MR. GRIEST: Mr. Chairman? I was thinking what some of
32 the other communities that in the past have used resource? I
33 think because musk ox have been around in the past before, the
34 communities know it. There's an Eskimo word for it, Omingmuk
35 (ph), and -- in some other areas as well. I guess we're just
36 focusing on just Seward area herd right now basically?

37

38 MS. H. ARMSTRONG: I have one more comment. Because of
39 the way the -- it's on page eight of the -- well, it's the
40 first page of the Proposal 43. Because of the way it was
41 written in the proposed regulation, it says "interim
42 termination of the Kiwalik River residents of Unit 23 west of
43 the river, Kiwalik River," and Buckland actually is east of the
44 river. So when -- and what we need really is a determination
45 saying from you, "We want a positive determination blah, blah,
46 nah, blah, blah community," and because Buckland might -- you
47 could say of all the communities lying in those -- those units,
48 that -- and if you do that, then you need to include Buckland,
49 too, so that it's -- just to make sure we don't get Buckland

50

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left out of there.

2

3 CHAIRMAN SCHAEFFER: Well, thanks for pointing it out.
4 We did intend to include Buckland, since it was mentioned
5 earlier, and we just assumed

6

7 MS. H. ARMSTRONG: Uh-huh. Right.

8

9 CHAIRMAN SCHAEFFER: that it was part of it. Any
10 more discussion?

11

12 MR. STONEY: Mr. Chairman, I've got a question for you.
13 What is the population currently on Unit 23 on musk ox? Any
14 estimate?

15

16 MS. H. ARMSTRONG: Yeah, we're going to get to that in
17 a minute, but he can

18

19 MR. STONEY: Okay.

20

21 MS. H. ARMSTRONG: It's

22

23 MR. KOVACH: In Unit 23, the last count was done prior
24 to calving of last year, and the number of animals found in
25 Unit 23 was 246.

26

27 MR. STONEY: And how about on Unit 22?

28

29 MR. KOVACH: Now you're going to ask me to do some
30 math. Seven and six. Approximately.

31

32 MR. STONEY: Approximately.

33

34 MR. KOVACH: Approximately 675. Approximately. The
35 total population is 925.

36

37 MR. STONEY: Okay.

38

39 MR. KOVACH: I have it broken down by subunit, but I
40 just don't have the total by unit.

41

42 MR. KNAUER: You might mention you've got these

43

44 MR. KOVACH: When we get into the biology end of this,
45 we've got some more viewgraphs and information to give you on
46 the

47

48 MR. STONEY: Okay.

49

50

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1 MR. KOVACH: distribution of animals and things
2 like that.

3

4 MR. STONEY: Okay.

5

6 CHAIRMAN SCHAEFFER: Well, I think we're about to go
7 one way or another on this proposal, so can you do that very
8 quickly if it's information necessary to make a decision?

9

10 MR. KOVACH: Which? Are you talking about the c&t
11 aspects of musk ox?

12

13 CHAIRMAN SCHAEFFER: Oh. I may -- when I first
14 discussed this or brought it up, I made an assumption that if
15 we urge the Federal Subsistence Board to make a positive c&t
16 determination, then I would also request that a work group be
17 put together to hammer out the details of, you know, the hunt
18 itself.

19

20 MS. H. ARMSTRONG: Maybe we should go ahead with the
21 biology then. Do you want to cover that.

22

23 MR. KOVACH: Yeah, because we do have a bit of
24 information we want to give the Council here as far as biology
25 things.

26

27 The Seward Peninsula Council forwarded these proposals
28 to the Board in anticipation that the Board of Game was going
29 to authorize a sport hunt beginning this fall, which, of
30 course, they did. The consideration of any hunt, of course, is
31 contingent upon the Federal Board making a positive customary
32 and traditional use determination for whatever group of people
33 decides.

34

35 The musk ox population on the Seward Peninsula, very
36 briefly, was established in 1970. There was a transplant of
37 animals at that point in time. There was a supplemental
38 transplant in 1981. Since that point in time, the herd's been
39 experiencing a 15% growth rate.

40

41 Let me see, I need that table. Not the graph, but the
42 table, Bill.

43

44 MR. KNAUER: Okay.

45

46 MR. KOVACH: Yeah, that blue one there. The last
47 census as I -- as I just said was completed in pre-calving of
48 1994. This is the result of that census by subunit. The
49 number found is the number of musk oxen found within that

50

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subunit unit, and percent of the total. The last two columns
 2s the number of musk oxen found on Federal lands, and the
 proportion of the musk ox within that subunit on Federal lands.
 4As you can see, in 22(D) while 405 musk ox were counted in
 22(D), only 14 of those were found residing on Federal lands,
 6r about 3-1/2%. In 22(E) 65% approximately were found on
 Federal public lands, while in Unit 23 approximately 85% were
 found on Federal lands.

9

10 As you all know, these critters have legs, they move.
 \$b today they're on and tomorrow they may be off. And many of
 these animals were found right on boundaries of park lands.

13

14 Due to growing concerns by residents of the Seward
 Peninsula for -- to have a hunt, there was a planning effort
 begun in 1993 to develop a cooperative management plan. People
 who actively participated included the Bering Straits
 Corporation, Kawarak Reindeer Herders Association, the Deering
 IRA, NANA, Alaska Department of Fish and Game, Bureau of Land
 Management, National Park Service, and Soils Conservation
 Service. In the summer of last year this plan was finalized,
 and within in there are guidelines and -- for over-all
 management of the herd as well as guidelines for harvest of the
 herd.

25

26 Because the planning group involved in creating this
 plan was so diverse, as local people, native organizations as
 well as the land managers involved, and -- the harvest
 guidelines are well within the accepted principles for wildlife
 management of musk oxen, and because it represents the wishes
 of local people on the Peninsula, we feel it's in the best
 interest that both this Council and the Seward Peninsula
 Council look at this plan and review it, and if they don't
 adopt the plan in total, leastways its principles and its
 guidelines.

36

37 There are -- the Board of Game deliberated on four musk
 ox proposals which was pretty well reviewed, so I won't go back
 over that point to

40

41 CHAIRMAN SCHAEFFER: Well, just one clarification
 though. Wasn't it the intent of the Board of Game at the time
 first to authorize the hunt in GMU 22 and not 23 until it was
 pointed out that some of the animals in fact needed to be
 hunted there?

46

47 MR. KOVACH: Well, the proposals that were presented to
 the Board of Game only addressed 22. The intent of the
 planning group that created the management plan was, yes,

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there's a lot of animals over in 23, but the primary this is we want the herd to continue its expansion and growth both in numbers and distribution, so we don't want to hunt 23 just yet. However, representatives from Deering and Buckland were at the Board of Game meeting, and expressed a desire to be included in a hunt. That -- those desires were acknowledged by the Board of Game in their motions and final votes, to include that portion of Unit 23 west of and including the Buckland River drainage. As you can see on the wall map over on the side here, the upper portions of the Buckland River drainage contain a significant amount of BLM lands. And there's a big gap in the middle, and then you pick up the Park lands over on the western side there, or the western edge.

14

15 The harvest guidelines within the plan basically call for a harvest rate of, depending upon where you're at, of between two and a half and 3-1/2% of the population. The harvest levels authorized by the Board of Game are -- is approximately 2.9% of the population within 22(D), 22(E) and 20.

21

22 The intent of the Board of Game was to -- was to try and maximize local participation in this hunt to the extent -- within the State -- existing State law by allocating 12 of the 24 permits to a drawing -- or to a registration process, which 26 first come, first served. Only 12 permits will be issued, and they will only be issued within those five communities that 28 are within the hunt zone itself. These communities being 29 Nevig Mission, Wales, Shishmaref, Deering and Buckland.

30

31 The cooperative group that created this plan is going to be meeting again later this month to start a process of trying to determine how to allocate the numbers of permits between those five communities as far as the registration permit process is concerned.

36

37 The local hunters do not need a favorable ruling from the Federal Subsistence Board on Proposal 43 to participate in the State hunt. The State -- of course, the State hunt is good for all lands. A Federal hunt would be limited to Federal public lands, those colors on the maps there. For some communities that would work out real well, like Shishmaref and Deering which are in reasonably close proximity to Federal public lands. Other communities, like Buckland, would have -- those hunters would have to travel a fair distance in order to get to Federal public lands. Whether or not there's musk oxen on those BLM lands in the Buckland River drainage, we don't know.

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1 We've -- both the Federal staffs and the State staffs
 2 have been in very close coordination with each other in trying
 3 to figure out how to administer this whole process, and the
 4 hunt. The most prudent thing that I can recommend to the
 5 Council at this point in time is that due to the requirements
 6 of ANILCA for sound wildlife management, as well as trying to
 7 stay within the guidelines of the cooperative management plan,
 8 as that as far as Unit 23 and this Council is concerned, that
 9 the number of musk ox to be allocated to Federal Subsistence
 10 users, if you decide to pursue a Federal registration permit
 11 hunt, it limit that to 3% of the musk ox population residing on
 12 Federal public lands. As an example, based upon the 1994
 13 census which you see up there, 3% of 211 equals six, to give
 14 you an example. Also just to carry -- carry that out, 22(E)
 15 would be three and zero for 22(D), so you're only talking a
 16 total of nine federal permits is all you would be talking.

17

18 With regards to the season aspects of it, the Fish & --
 19 the season presented in the proposal is for October 1st through
 20 November 15th. The season passed by the Board of Game is
 21 September 1 through January 31. The cooperatives, the
 22 participants of the management plan are very nervous about
 23 having any hunts going into the winter. This is due to the
 24 ecology of musk ox. They're not well adapted to digging
 25 through snow or travelling through snow as are caribou. They
 26 restrict their winter activities to areas of relatively shallow
 27 snow and wind-blown sites. Their daily movements decrease and
 28 their group sizes increase as they concentrate in areas of
 29 suitable grounds. Based upon information collected by Arctic
 30 National Wildlife Refuge for the North Slope musk ox, there --
 31 the period in which the least amount of activity occurs as far
 32 as periods of activity in a 24-hour time frame as well as daily
 33 movements, occurs in that November through February time
 34 period. These are all strategies by musk ox to survive the
 35 winter on very poor forage quality conditions. If animals are
 36 forced to move or increase their activity, whether it be for
 37 foraging conditions, extreme snow, harassment by predators,
 38 being moved by hunters, whatever. These energetic requirements
 39 increase significantly, and most musk ox biologists feel that
 40 these costs are additive through time. Most of the mortalities
 41 in the North Slope have been attributed to poor physical
 42 condition of musk ox during the winter time.

43

44 It's -- Fish & Game biologists who participated in live
 45 capture operations on Seward Peninsula musk ox as well as those
 46 in Nunivak and Nelson Islands to the south off the Y-K Delta
 47 have noted -- noted musk ox in both average winters and severe
 48 winters, that they are much more emaciated, they were much
 49 thinner and in poorer physical condition on the Seward

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Peninsula as compared to Nunivak Islands. Most of the musk ox biologists I have spoken with in trying to get more information and feedback feel that until more information is collected specifically from the Seward Peninsula, they would avoid hunting, or having a hunt go into the high stress winter period.

7

8

Excuse me.

9

CHAIRMAN SCHAEFFER: Was there also any discussion in terms of the rutting season of the musk ox and whether or not a hunt would be allowed during the rut?

13

MR. KOVACH: I asked this specifically of a couple of musk ox biologists. They -- their statements were that while the negative impacts to the musk ox population would be minimal, there would be some disruption of breeding groups and so on. Hunting during the rut, the quality of musk ox meat does not decline like caribou and moose does. It stays reasonably high. But the behavior of musk ox change dramatically during the rut. Bulls become very, very aggressive. They become very difficult to hunt. You will also the bulls are also -- tend to be very scattered, and in singles or in pairs. They're very difficult to locate, whereas after the rut they tend to start going and congregating together and they're -- and they're more easily found.

27

They said there's no biological reason not to hunt during the rut, but they said personally they wouldn't do it, just because of the aggressive nature. They've -- one biologist related to me where they had -- they had tranquilized a musk ox bull, this was about a week before the peak of the rut, and tried to shoo away the rest of the animals, and when they turned around, there was two bulls coming to challenge the one that was down on the ground, and they were between the one on the ground and the bulls that were coming in to challenge him. So they had quite a situation on their hands. They wound up with three drugged bulls there, and were looking around for more, to make sure they weren't going to get stomped in the process. So it's entirely doable, but hunters may not like some of the consequences.

42

CHAIRMAN SCHAEFFER: So you'd verify that the taste buds of those people that would try musk ox in the rut is reasonably sound in terms of

46

MR. KOVACH: That's -- that's the reports that have been given to me. I have never done it myself. I've never even had a musk ox. I would dearly like to try it. But the

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reports from Canada that there's no change in the quality of the meat during the rut.

3

4 CHAIRMAN SCHAEFFER: Okay. Does this pretty much summarize your report?

6

7 MR. KOVACH: That's pretty much it, yeah, right. We do have a couple of public comments that we received on Proposal 44.

10

11 MS. H. ARMSTRONG: One.

12

13 MR. KOVACH: One.

14

15 MS. H. ARMSTRONG: ADF&G. They opposed the Federal establishment of any -- well, that's the same comment they had on the other one. It's the same comment. Never mind.

18

19 CHAIRMAN SCHAEFFER: I would assume that if there was a positive customary and traditional determination on musk ox, the reason for pointing out a working group earlier was to make some better informed decisions in terms of the information available for allocation of the animals, including whether or not, you know, there would be agreement on just a 3% take or not on Federal lands, because I think we run into a jurisdictional problem all of a sudden that's almost in tune with the biological one, and that, you know, if we have adjacent lands where at the time of the survey the numbers happen to be high on one -- one border or another, I mean, that's kind of like pie in the sky. But still the determination as to numbers in terms of how that hunt would be handled kind of rests on whether or not the contact have been made, given certain conditions that would have the animals in a certain space or not. I mean, almost like pie in the sky. 35hn?

36

37 MR. COADY: Thank you, Mr. Chairman. My name is John Coady, Alaska Department of Fish & Game. I agree with Steve's comments and would just like to add a couple points to his.

40

41 We've clearly established that what the Alaska Board of Game did was to authorize a hunt for 24 musk oxen, to issue 24 permits. Twelve of those permits would be what we call registration permits, and the Board said that those permits should be issued within the hunt area, in villages within the hunt area. It was obviously the Board's intention to provide an opportunity for local people to effectively compete for those permits.

49

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1 You, Pete, referenced your desire to see a working
 2 group established. Steve noted that in fact we do intend to
 3 convene perhaps such a group as you're thinking about the end
 4 of this month when on February 22nd in Nome the cooperators in
 5 the management plan as well as representatives from villages
 6 within the hunt area are going to meet to talk about, or to
 7 begin talking about different options for issuing those
 8 registration permits. The Board of Game gave the staff, the
 9 State Department of Fish & Game, the flexibility to issue the
 10 permits as the cooperators and others would choose to do so.
 11 The only guidelines they said is to not issue more than 12
 12 permits, and to make sure the permits are issued within the
 13 hunt area. It's not our intention in the Department to make a
 14 unilateral decision as to how those permits should be issued,
 15 and that's the purpose for convening this working group, if you
 16 will, in Nome the end of this month, to talk about how we might
 17 go about issuing those permits.

18

19 One -- one option that this Council might consider,
 20 that should you recommend making a positive c&t finding, that
 21 would be one hurdle that would be -- would be crossed, and the
 22 Federal Subsistence Board would -- may well accept your
 23 recommendation. You then may decide as, for example, Bill
 24 Auer has urged, or has commented, that wait and see what
 25 happens under the State's system, and if it -- if it is
 26 satisfactory, if most of the permits go to local refer- --
 27 local hunters, that that may be an acceptable system. If it's
 28 not, if that -- if that scenario does not develop, if several
 29 of the permits do not go to local hunters, then we obviously --
 30 you then might want to make another recommendation, or take
 31 other action.

32

33 One of the problems that I think might be encountered
 34 that Steve -- Steve mentioned, for example, that under a
 35 Federal permit system, up to nine permits could be issued, or
 36 may be issued. If that were the case, I think it's the
 37 intention of all the cooperators who drafted the management
 38 plan to not exceed the harvest guidelines that are identified
 39 that plan. If that were the case, that would essentially
 40 subtract those nine permits from the 12 registration permits
 41 that the Board authorized, and allow only three additional
 42 permits, registration permits for the State to issue to hunters
 43 on non-Federal lands. Non-public lands.

44

45 CHAIRMAN SCHAEFFER: Any questions for John? Thank
 46 you, John.

47

48 If there's no further discussion, we -- oh. Ma'am? Go
 49 ahead.

50

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1
2 MS. RUGGLES: Thank you. My name is Ann Ruggles. I'm
3 with the Board of Game.

4
5 I guess what I'd like to do is tell you a little bit
6 about our intentions as we were deliberating this both on the
7 record and off the record. The Board wanted to be able to
8 accommodate not only all of the urban hunters in the State, but
9 also recognize that the reason we have this musk ox herd in
10 place is because the people in the Seward Peninsula were
11 careful of that herd, were careful about the way they
12 interacted with those animals over the years, and that that
13 herd belonged out there on the Seward Peninsula and were part
14 of what those people use, or could potentially use. We wanted
15 to craft a regulation that would be inclusive of all of us in
16 Alaska, of, yes, the people who live in Fairbanks and Anchorage
17 and Juneau and the rest of the State, but also to make sure
18 that the people up here were included in the decision that we
19 made, and were included in a fair way.

20
21 So when we listened to the public testimony, and a
22 significant portion of that came from people who lived up here,
23 who live in the area where the musk oxen are, it had an
24 impression on the Board. Board members listened very carefully
25 what they heard, and changed opinions, and ultimately
26 changed one of the -- the proposal that we were working with to
27 reflect what we heard from the people who came down to talk to
28 us. And that was when the amendment was made to include that
29 portion of GMU 23 in this. That also allowed us to increase
30 the number of permits that we would be able to give to people,
31 make available to people for hunting.

32
33 Legally, since there was not a positive c&t found, we
34 couldn't say that we want to put these permits, we want to give
35 these permits to just local area residents. It's not something
36 that's allowable under State law. However, we were able to
37 craft something that allowed us to say, yes, we recognize that
38 people from outside the area should be able to hunt, and here
39 are permits for them to hunt, but we're going to ask them to
40 pay a lot more money, too. They'll put in for a drawing
41 permit. It's the luck of the draw. And if they get drawn,
42 they will pay the \$500.00 tag fee.

43
44 We decided that the other half of the permits we were
45 going to give -- we were going to ask the Department to
46 administer and to administer it in such a way that local area
47 peoples get the best chance of getting those permits, and to
48 work with the local area people to open those registration
49 zones where it was most needed, where it was determined that
50

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the people on the Peninsula wanted it.

2

3 There is potentially a problem, and you've pointed it
4 out, and several other people have, too, that people from
5 outside the area could come up and get in those lines. It's
6 something that I think you can certainly defend against. The
7 communities can work together and decide that -- well, Jim had
8 a suggestion earlier: if somebody who's not a local person
9 flies into the village, let folks know so they can get into
10 one. I mean, there is -- you can work with one another to
11 make sure that those permits go just to people who live in the
12 local areas. It's going to mean cooperation among the folks
13 who live out here, but it's something that certainly the
14 Department is willing to work with you on, the cooperators are,
15 and it seems to me like the will is certainly here within the
16 communities to do the same thing, to make sure that those
17 permits do go to the local area residents.

18

19 I'd like to make a pitch for letting the system work
20 for a year, see how it works. A State hunt would certainly
21 allow local hunters to hunt throughout the whole area. You
22 wouldn't be limited to just hunting on the Federal public
23 lands. As a hunter, it seems to me that would probably be a
24 lot more advantageous than being limited to just a few parts of
25 the area involved. And there would be more permits involved.
26 All 12 permits could potentially go to people up here. I don't
27 know what you're going to do, but I'd sure like you to consider
28 giving it a try for a year and see what happens, and if it
29 doesn't work, then come back and let's try another method.
30 Make a go through the Federal Subsistence Board or whatever,
31 but I'd sure like you to try this one for year. Thank you.

32

33 CHAIRMAN SCHAEFFER: Thank you, Ann. We're getting
34 close to 5:00 o'clock. I think -- I would make a
35 commendation to this Board that we do a two-fold thing. The
36 first is that we still proceed with the positive c&t
37 determination with the Federal Subsistence Board, but we also
38 commend to -- also do a scenario to the extent possible that
39 we let the State process work and see how that pans out in
40 terms of whether or not it's an effective way to give some kind
41 of a local preference, because I think that, you know, as I
42 said on the outset, we don't intend to basically hog all the
43 animals ourselves, and that's never the intent, but also to take
44 into consideration like the Board of Game did the idea that the
45 hunters ought to get a fair share of the animals, too.
46 That's my recommendation.

47

48 So what is the wish of this Council?

49

50

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1 MR. MOTO: Do you want a motion on that, or

2

3 CHAIRMAN SCHAEFFER: That's what I'm asking for, yes.

4

5 MR. MOTO: I would go a motion for what you just
6 commented on, further study or -- that the State

7

8 CHAIRMAN SCHAEFFER: My recommendation for the seeking
9 of a positive c&t finding by the Federal Subsistence Board,
10 along with the recommendation that we basically allow the State
11 system to work and see how that works for a year and then come
12 back next year if needed to make the necessary adjustments.

13

14 MR. MOTO: Sounds good.

15

16 CHAIRMAN SCHAEFFER: Is that your motion?

17

18 MR. MOTO: I still make the motion.

19

20 CHAIRMAN SCHAEFFER: Okay.

21

22 MR. KNAUER: Mr. Chairman?

23

24 CHAIRMAN SCHAEFFER: Bill?

25

26 MR. KNAUER: From what I heard before, are you also
27 implying that you want -- want that c&t determination to
28 reflect west of the Buckland River as opposed to what it is
29 now? That

30

31 CHAIRMAN SCHAEFFER: That's correct.

32

33 MR. KNAUER: would include Buckland?

34

35 CHAIRMAN SCHAEFFER: To include Buckland, yes. Is
36 there a second to the motion?

37

38 MR. BAILEY: Second.

39

40 CHAIRMAN SCHAEFFER: Okay. Any discussion?

41

42 MR. GRIEST: What's the nature of the motion again?

43

44 CHAIRMAN SCHAEFFER: The motion is that we proceed to
45 commend to the Federal Board that they seek a positive
46 customary and traditional determination, and that we also allow
47 the methodology for allocation, to try that for a year by the
48 State, and then if necessary make necessary changes next year.

49

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1 MR. GRIEST: Is that Proposal 44?

2
3 CHAIRMAN SCHAEFFER: Yeah.

4
5 MR. GRIEST: Forty-four or 43?

6
7 MR. BAILEY: Forty-three.

8
9 MR. GRIEST: Oh, 43.

10
11 CHAIRMAN SCHAEFFER: Forty-three. Any further
12 discussion? Okay. I'll call for the question. All those in
13 favor of the motion, say aye?

14
15 IN UNISON: Aye.

16
17 CHAIRMAN SCHAEFFER: Any opposed?

18
19 (No opposing responses)

20
21 CHAIRMAN SCHAEFFER: Unanimous.

22
23 MR. KNAUER: Mr. Chairman, just for clarifying for
24 notes, that would in essence mean that you are supporting
25 proposal 43 with the modification to include Buckland, and that
26 you are opposing Proposal 44, to let the State system work for
27 year, to see if it meets the local needs, is that -- am I
28 correct in understanding the Council's intent? Forty-three
29 would be the c&t, and 44 would be the -- the proposal for a
30 federal season.

31
32 CHAIRMAN SCHAEFFER: Right. And that's mainly how it
33 applies to GMU 23.

34
35 MR. KNAUER: Okay.

36
37 CHAIRMAN SCHAEFFER: Okay. Any other proposals that
38 require our

39
40 MS. H. ARMSTRONG: That's it. We're done.

41
42 CHAIRMAN SCHAEFFER: Okay. We now go to administrative
43 matters I guess. Item eight.

44
45 MS. B. ARMSTRONG: I don't have any. I worked them out
46 during this meeting today, but I want to thank everyone for
47 being here and being patient this morning. Thank you.

48
49 CHAIRMAN SCHAEFFER: Okay. Thank you, Barbara.

50

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1
2 The next meeting date and place?
3
4 MS. B. ARMSTRONG: There should be a calendar somewhere
5 on your -- here. When is AFN, this week? That AFN week would
6 be out.
7
8 CHAIRMAN SCHAEFFER: Well, Columbus Day looks good.
9 Oh, that's a holiday. Okay. Thereabouts? Okay. How about
10 October 12, and if necessary into the 13th?
11
12 MS. B. ARMSTRONG: Twelve to 13th?
13
14 CHAIRMAN SCHAEFFER: Yeah.
15
16 MS. B. ARMSTRONG: Okay. Okay.
17
18 CHAIRMAN SCHAEFFER: You can set that in cement and see
19 how long it stays there.
20
21 MS. H. ARMSTRONG: That's -- when is the AFN? See if
22 AFN is that week.
23
24 CHAIRMAN SCHAEFFER: AFN is the next week, or two weeks
25 after that. I think it's the week of October

26
27 MS. B. ARMSTRONG: Probably the week of the 23rd.
28
29 CHAIRMAN SCHAEFFER: Twenty-third.
30
31 MS. H. ARMSTRONG: It's late this year.
32
33 CHAIRMAN SCHAEFFER: Okay. Tentatively, unless you
34 hear otherwise, that's going to be assumed to be the date for
35 now.
36
37 MS. B. ARMSTRONG: Where will you meet?
38
39 CHAIRMAN SCHAEFFER: Probably here if it's available.
40 It seems to be an okay place. Put a sign up there to keep
41 quiet, got a meeting in progress. We can do that this summer.
42
43 Item ten is public comment. Do we have any comments
44 from the public? Since nobody beat the door down on that, we
45 go to item 11.
46
47 MR. GRIEST: Mr. Chairman, I move for adjournment.
48
49 MR. MOTO: I second.
50

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1
2 CHAIRMAN SCHAEFFER: Okay. Moved and seconded for
adjournment. Is there any objection? Okay. We are adjourned.
4 Thank you very much.

5
6 (Off record)

7
8 (END OF PROCEEDINGS)

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